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THESIS

**THE EFFECTS OF NATIONAL POLICY ON REFUGEE
WELFARE AND RELATED SECURITY ISSUES: A
COMPARATIVE CASE STUDY OF LEBANON, EGYPT
AND SYRIA**

by

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December 2008

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RELATED SECURITY ISSUES: A COMPARATIVE STUDY OF LEBANON,
EGYPT AND SYRIA**

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Submitted in partial fulfillment of the
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ABSTRACT

The growing and persistent nature of today's protracted refugee situations pose significant threats to the host countries and regions that support these vulnerable people. While stateless, refugees fall under the protection of the international community and its laws. However, it is the effects of state policy that actually shape the living conditions and the opportunities available for refugees, and in turn influence the security repercussions they can set in motion.

This thesis examines the relationship between the tendency of state policies regarding Palestinian refugees in Lebanon, Egypt, and Syria to create isolation or integration, and the relative extent of national and regional security issues and concerns surrounding refugees within their respective territories. From these relationships, this study will determine that national policies that effectively contribute to integrating refugees into the host society, as opposed to isolating them, will greatly reduce the security consequences of hosting refugees.

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I. INTRODUCTION

The increasing number of refugees throughout the world has given rise to new international risks and security issues, ranging from drug smuggling to guerilla warfare. These issues are of global interest and cannot be ignored, because they influence both the safety of refugees and the stability of the regions in which they exist. The international community, realizing such threats, has established a number of treaties relating to the rights and responsibilities of refugees. Each country, however, is left to determine who qualifies as a refugee and how each person will be treated, housed and assisted while he or she remains in the host nation. This thesis will attempt to answer how variations in these national policies create or affect international security issues by dictating the living conditions, work opportunities, and subsidies allowed for refugees and by creating cultural assimilation or isolation. Also, this study will attempt to determine whether or not certain policies increase security risks and issues, while others decrease the potential negative effects of refugees on security within a host country. I will use a review of existing literature on Lebanon, Syria and Egypt to determine what policies they have employed towards refugees and to identify what security consequences these policies created.

A. IMPORTANCE

According to the United Nations High Commissioner 1951 Convention on the Status of Refugee, anyone is considered a refugee who:

Owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, is outside the country of his nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it,”¹

Since the beginning of the twentieth century the international community has recognized that refugees are a persistent situation and that the number of such people will continue to

¹“Convention and Protocols Relating to the Status of Refugees,” *United Nations High Commissioner on Refugees*, <http://www.unhcr.org/basics.html> (accessed February 5, 2008).

increase so long as war and persecution exist. International laws have been created with the intention to protect the refugee. However, the leeway for individual interpretation and implementation at the state level through national policy creates a broad spectrum of living conditions across various host nations. By looking at the security policies in several different sets of conditions, a possible relationship may be identified between the types of policies used to administer refugees and the problems attributed to the presence of refugees.

A study of how state policy may contribute to refugee security issues will not provide a solution for the overall situation, but it will aid in limiting the obstructions that complicate the search for an answer. Policy perspectives relating to refugees generally focus on international positions dealing with the conflict or humanitarian crisis in the originating country. Instead of focusing on international policies and/or source countries, directing attention to differing refugee treatment policies may provide a source for limiting the security issues prompted by the presence of refugees.

B. PROBLEMS AND HYPOTHESES

International laws exist to protect and care for refugees. Differing interpretations and implementations at the state level through national policy create a continuum of living situations from near isolation on one end to almost complete integration on the other. The widely varied stability and security conditions that surround refugees stem from the differing state policies as manifested in the living situations. By looking at the varying situations in several host nations, the intent will be to identify the factors and policies which create the most secure situation for the refugees, the state and the region. Then an attempt will be made to show that state policies which lead toward integration will tend to decrease security issues related to refugees, whereas policies that produce isolation will be more likely to produce or increase security issues or problems.

State policy is not the only influencing factor for refugee security issues, and isolating the effects of policy will be a problem to address. In order to determine if a policy is relevant to security, the particular security issues that are associated with a group of refugees and their causes must be identified. Then the policy of each case state

needs to be examined. Next, the reaction of refugees to these policies must be determined, in order to identify if the policy has an integrating or isolating affect. If refugee reactions to either integration or isolation are indicative of the reasons for security issues, a link may then be identified between policy and security. How refugees act is dependent on state policies, and how they act affects the level of security issues surrounding them.

C. LITERATURE REVIEW

There is a wealth of literature regarding refugees. As an enduring international situation, the initial questions of responsibility and protection for this vulnerable body of people have been widely addressed. The 1951 United Nations Convention on the Status of Refugees established contemporary refugee rights and responsibilities in the international community. As with all treaties, there are numerous interpretations and evolving applications of the 1951 Convention and subsequent agreements. In *The Rights of Refugees under International Law*, James C. Hathaway details the rights belonging to refugees as granted by international law in the 1951 UN Convention.² The importance of such works is that they create an acceptable framework from which host states can create policies for handling refugees who approach and/or enter their countries. However, some researchers such as Jens Vedsted-Hansen recognize that varying interpretations for the terms of the 1951 UN Convention on the Status of Refugees are emerging in order to suit the increasing security concerns of current and potential protracted refugee situations. These new interpretations, in a growing number of instances, create a “gulf, between the reality of institutional and state action and the rights of refugees” allowing for inconsistent application of laws at the state level and the room to evaluate which policies are the most beneficial.³

² James C. Hathaway, *The Rights of Refugees Under International Law* (Cambridge: Cambridge University Press, 2005).

³ Frances Nicholson and Patrick Twomey, *Refugee Rights and Realities: Evolving International Concepts and Regimes* (Cambridge: Cambridge University Press, 1999), abstract.

Another area of more recent research relating to refugees is that of security issues. There are a large number of concerns stemming from the displacement of people across international borders. Sara Kenyon Lischer evaluates refugees as a cause and continued perpetrators of conflict. In *Dangerous Sanctuaries: Refugee camps, Civil War, and the Dilemmas of Humanitarian Aid*, Lischer discusses how the militarization of refugee camps, lack of protection and action by host states and the siphoning of international aid to rebels leads to increased violence both at home and across the region.⁴ Fiona Adamson, although grouping refugees among all migrants, also identifies cross border movement, changing cultural identity, Diasporas and humanitarian aid as contributing support for conflict in a refugee's home nation.⁵

The prevailing notion appears to be that the refugees create security issues, regardless of the situation in which they live within a host country. Therefore, policies are generally seen as a response, rather than as prospective causes or influencing factors for security issues. In "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes" Karen Jacobsen focuses on how international, local and refugee pressures affect whether a host government is acquiescent and responds according to the United Nation's recommendations, or employs a differing practice. Since these pressures change often, so does the country's reply in the form of policies towards refugees.⁶ In *The Palestinian Impasse in Lebanon: The Politics of Refugee Integration* Simon Haddad examines the Lebanese attitudes and subsequent policy towards Palestinians. Haddad considers Palestinian treatment and the potential for integration and permanent residency in this host country as contingent on the economic and security issues anticipated by the

⁴ Sarah Kenyon Lischer, *Dangerous Sanctuaries: Refugee camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca, NY: Cornell University Press, 2005).

⁵ Fiona Adams, "Crossing Borders: International Migration and National Security," *International Security* 31, no. 1 (Summer 2006), http://muse.jhu.edu/journals/international_security/v031/31.1adamson.pdf (accessed March 31, 2008).

⁶ Karen Jacobsen, "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes," *International Migration Review* 30, no. 3 (Autumn, 1996), <http://www.jstor.org/page/termsConfirm.jsp?redirectUri=/stable/pdfplus/2547631.pdf> (accessed March 31, 2008).

Lebanese majority.⁷ In this situation policies are based on prejudices towards the refugees and not on molding a positive outcome considering both refugee rights and national security.

There are also numerous conjectures on what actions or policies should be applied in order to improve the conditions and consequences of cross border displacement. In *Refugees into Citizens: Palestinians and the End of the Arab-Israeli Conflict*, Donna Arzt argues that citizenship is required for a secure and stable solution to the Palestinian refugee crisis.⁸ While in “Unsettling the Categories of Displacement” Julie Peteet discusses new trends in refugee management, including the use of containment spaces such as safe havens or “catch basins,” which essentially prevent refugees from crossing over international borders. She also points to the lack of Iraqi refugee acknowledgement and assistance, along with the UNHCR’s preference for non-repatriation as indicative of the uncertain future for refugees.⁹

In “Refugee Security and the Organizational logic of Legal Mandates” Mariano-Florentino Cuellar examines the evolution of the United Nations High Commissioner on Refugees and the consequences of “bureaucratic dynamics, political pressures, and legal interpretations”¹⁰ on limiting the actions of the UNHCR and other agencies towards reducing refugee security concerns. If it is the case that non-governmental agencies are often undercut in their attempts to help refugees, states should be in the position to best assist refugees through policies beneficial to the security of all. While current policy seems to be only in response to current situations, it will be useful to examine what the outcomes of the existing policies are in order to identify what actions can be taken to drive towards more secure and just refugee situations.

⁷ Simon Haddad, *The Palestinian Impasse in Lebanon: The Politics of Refugee Integration* (Brighton: Sussex Academic Press, 2003).

⁸ Donna E. Arzt, *Refugees into Citizens: Palestinians and the End of the Arab-Israeli Conflict* (New York: Council on Foreign Relations, 1997), 2.

⁹ Julie Peteet, “Unsettling the Categories of Displacement,” *Middle East Report*, <http://www.merip.org/mer/mer244/peteet.html> (accessed March 15, 2008).

¹⁰ Mariano-Florentino Cuellar, “Refugee Security and the Organizational logic of Legal Mandates,” *Georgetown Journal of International Law* 37 (2006), 583, http://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID918320_code254274.pdf?abstractid=918320&mirid=5 (accessed February 20, 2008).

D. OVERVIEW

Since the collapse of the Ottoman Empire, the region that encompasses Palestine/Israel has been disputed over by the Jews and the Palestinians. Not until the 1947 UN General Assembly resolution 181, which granted Palestinian Jews approximately 48% more land than they previously had under Jewish ownership, was a partition plan put into effect.¹¹ News of this resolution brought additional violent clashes between elated Jews and angered Arab Palestinians. Outright civil war exploded in Palestine as Jews, via direct expulsion or threat of violence and ethnic cleansing, drove approximately 805,000 Arab Palestinians out of both Jewish and Arab lands between 1947 and 1949.¹² Thus, “the great majority of the Palestinians who lived in the area given to or annexed by Israel became refugees during and following the 1948 war” and continued to flee throughout the violence of the next several decades.¹³

This thesis will use a comparative study of the refugee policies of Lebanon, Egypt and Syria towards Palestinian refugees present in each respective country. The policies in effect will be identified and the resultant living conditions, work opportunities, and financial resources available for refugees will be examined. Current state policies and refugee treatment will be derived from online refugee sources, the international agreements to which each country is party, and secondary academic sources. Outcomes of the different initial policy variables will be studied to find similarities or difference that affect refugee behavior and potential security issues.

In order to identify a possible relationship between state policy and refugee security issues, it is important to independently determine what the causes are of the particular security issues, and what are the reactions of refugees to policies. Then, how refugee reactions affect security issues in a particular set of circumstance will be

11 PLO Department of Refugee Affairs, *The Palestinian Refugees 1948-2000: Factfile* (Ramallah: Palestinian Liberation Organization, 2000).

12 Mazin B. Qumsiyeh. *Sharing the Land of Canaan: Human Rights and the Israeli-Palestinian Struggle* (London: Pluto Press, 2004), 35.

13 Hassan Elnajjar, “Planned Emigration: the Palestinian Case,” *International Migration Review* 27, no. 1 (Spring, 1993), 35, <http://links.jstor.org/sici?sici=0197-9183%28199321%2927%3A1%3C34%3APETPC%3E2.0.CO%3B2-T>. (accessed February 29, 2008).

observed. Through organizing this thesis by individual case studies, it will be possible to discern common responses and causes as indicative of how state policy can affect security issues.

Following this introduction will be a discussion of security issues that surround the struggle of refugees to survive in a foreign country and some of the causes of these issues. Next, a brief review of international laws regarding refugees will provide the international expectation of refugee protection. This information provides a loose framework for state policy. The bulk of this thesis will evaluate what the state policies towards refugees are in the countries of Lebanon, Egypt and Syria. For each country the laws regarding living conditions, work opportunities, and financial resources will be delineated as contributing towards isolation or integration, and refugee responses will be determined. The specific security issues associated with the refugees of each country will be identified.

In the conclusion, through comparative analysis of how state policy and refugee responses affect security issues in Lebanon, Egypt and Syria a link between policy and security will be shown. In locations, such as Syria, where national policy seeks to integrate refugees into its society fewer refugee-related security problems will arise. Conversely, when a state, such as Lebanon, uses its policies to isolate refugees from the host society an increase in state and region security problems will be seen. Lastly, despite employing laws that tend toward isolation, the early use of policy in Egypt to drastically reduce the number of refugees within its borders, though not currently a legitimate practice, significantly limited the abilities of the refugees to respond in a threatening way.

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II. REFUGEE SECURITY

This chapter will identify predominant security issues on both the domestic and the international levels that can exist due to the presence of refugees. Migration and border crossing, particularly in the case of refugees, poses a number of critical security issues. Once settled in a host country, the risks do not typically diminish, rather there is a likelihood that new and different problems will emerge. A clear understanding of what these security issues are will help to anchor the importance of discerning the causes and will provide possible means of diminishing those causes.

A. TYPES OF SECURITY ISSUES

Once admitted to a host country, refugees settle in one of two ways, either within an established or soon to be organized refugee camp, or dispersed among the local population. Though the situations vary greatly, the change in dynamics that the refugees cause inherently raises concerns about issues of security.

1. Domestic Security Issues

The largest factor that may determine the security threat outside of the camp at the host state level is whether or not the camp is open for refugees to enter or leave at will. The 1951 Convention on the Status of Refugees provides the rights to wage-earning employment and freedom of movement, connoting the right to an open camp.¹⁴ This situation can present possible economic and social issues leading to increased hostilities and decreased security in the host state.

If the camp isolates the refugees from the host population, it may reduce the threat of conflict with the host country citizens, and may protect the refugees from external threats. However, this option severely disadvantages the refugees and compels non-assimilation. Without the ability to procure a living outside of the refugee camp or to bring needed supplies and resources into the camp, poverty will become rampant and the

¹⁴ “Convention and Protocols Relating to the Status of Refugees,” *United Nations High Commissioner on Refugees*, <http://www.unhcr.org/basics.html> (accessed February 5, 2008).

climate will become more desperate.¹⁵ The destitute and beleaguered population may pose situations such as have occurred in Darfur, where conflict surrounding the refugee camps has been supplemented by uprisings within the camps. For instance, “chaos engulfed Kalma, one of the largest and most troubled camps” where residents “have no food, no safety.”¹⁶ While separating refugees from the host society may seem to prevent basic tensions related to competition, isolation and poverty have the potential to create even more severe security issues.

A flood of new workers into the host state economy will have several negative effects. First, they can force down wages. The presence of a large foreign population in host states which allow refugees to work will generally create a decline in wages, due to a surplus of laborers both skilled and unskilled. For instance, the Afghan refugees in Pakistan were willing to work for lower wages, and thus they took the place of higher paid workers. Then, “a rise in unemployment began further to pit refugees against citizens, creating resentment among Pakistanis.”¹⁷ Such a change can begin to affect the overall economy of a state.

In addition to causing changes at the labor level, refugees put a large strain on the national budget of a host nation. As well as paying for the forces that will safeguard the refugee camp, that nation has to spend money on a registration process in order to identify and account for the number of refugees within the country. Where services such as electricity, water, and sewage are extended to camps, both a financial and physical

15 “Refugee Deaths Underscore Need to Implement Border Settlement Guidelines,” *Refugees International*, <http://www.refintl.org/content/article/detail/862/> (accessed March 23, 2008).

16 “Uprising at Darfur Refugee Camp,” *New York Times*, http://www.nytimes.com/2006/05/08/world/08cnd-darfur.html?_r=1&hp&ex=1147147200&en=3902a74595c1692c&ei=5094&partner=homepage&oref=slogin (accessed March 23, 2008).

17 Susanne Schmeidl, “(Human) Security Dilemmas: Long-Term Implications of the Afghan Refugee Crisis,” *Third World Quarterly* 23, no. 1 (February, 2002), 15, <http://links.jstor.org/sici?sici=0143-6597%28200202%2923%3A1%3C7%3A%28SDLIO%3E2.0.CO%3B2-9> (accessed February 20, 2008).

drain on a countries ability to provide these utilities exists. Despite UN relief agencies working along with international aid to offset these costs, the added expenses subtract funds from other national programs affecting the benefits to national.¹⁸

In some instances, an abundance of support through aid and relief work can also create tensions with the society surrounding a refugee camp. Where a country such as Pakistan is receiving help to support the large Afghan population within its borders, it does not have the resources to benefit its own poor citizens. Therefore, “Pakistanis have begun to resent the competition” from Afghans who live “in camps rent-free, draw relief benefits and work to supplement their incomes.”¹⁹ Apparently, differential treatment towards refugees participating in the same economy can elevate tensions.

Another aspect of refugees living in identified camps that can pose a threat to host sovereigns appears to be non-assimilation. When a large population of similar culture and shared identity, whether national or tribal, is forced out of its homeland they cling to their identity. One example of this situation is the maintaining of neighborhoods of common origin within Palestinian refugee camps. Establishing a similar geographic grouping and layout within refugee camps allows them to maintain common identity and practices in their location of displacement.²⁰ As the Palestinians work to maintain their national identity and reclaim a unified homeland, the host society discriminates against them and they, in turn, create conflict with the society surrounding them, which will be shown further in depth later in this thesis.

Both the economic deterioration and the maintenance of a distinct identity separating refugees from the surrounding society generate hostilities towards refugees. Hostility may become generalized discrimination and in some cases lead to civil

¹⁸ “Operation SafeHaven,” *US-Africa.org*, <http://us-africa.tripod.com/safe.html> (accessed March 23, 2008).

¹⁹ Tom Rogers. “Refugees- a Threat to Stability?” in *Afghans in Exile*, ed. Josephine O’Connor Howe (London: The Eastern Press Limited, 1987), 2.

²⁰ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005).

violence.²¹ For instance, in Pakistan, due to the imbalance in the economic situations, “the tensions that have been created have resulted in numerous confrontations and at times riots between Afghans and Pakistanis....”²² Another example is the role of Palestinian refugees in the Jordanian civil war in 1970. “Based in the refugee camps, the [Palestinian militant faction] virtually developed a state within a state, easily obtaining funds and arms from both the Arab states and Eastern Europe and openly flouting Jordanian law.”²³ If refugees are perceived as the source of negative change, the fight to preserve their culture or distinct identity may facilitate the ease of blaming the foreigners for the decline in living standards in the host country. Furthermore, distinct ethnic identity may also pose a threat to internal stability of the host country by altering the ethnic and/or sectarian balance particularly in regards to political representation.

2. International/Regional Security issues

The problems among refugees and the challenges within the host state can cause a great deal of insecurity and thus instability at the interstate or regional level. Although camps are intended to be a place of shelter and protection for the vulnerable, as mentioned previously, they can also pose as an operating base for militant entities. These militants can incite a unified response from refugees. Ultimately, refugee warriors who carry the fight back into their home country may provoke an international response. Despite the threat they pose to potential recruits in the camp, prolonged and often continuously waning conditions within a refugee camp may cause refugees to begin to support warrior refugees, hoping to regain the homeland they lost to war and persecution, or to demand rights and assistance for the refugee population.²⁴

²¹ Susanne Schmeidl, "(Human) Security Dilemmas: Long-Term Implications of the Afghan Refugee Crisis," *Third World Quarterly* 23, no. 1 (February, 2002), 13, <http://links.jstor.org/sici?sici=0143-6597%28200202%2923%3A1%3C7%3A%28SDLIO%3E2.0.CO%3B2-9> (accessed February 20, 2008).

²² Tom Rogers. "Refugees- a Threat to Stability?" in *Afghans in Exile*, ed. Josephine O'Connor Howe (London: The Eastern Press Limited, 1987), 7.

²³ "Black September in Jordan 1970-1971," *OnWar Armed Conflicts Events Data*, <http://www.onwar.com/aced/data/bravo/blacksept1970.htm> (accessed March 20, 2008).

²⁴ Aristide Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (New York: Oxford University Press, 1989), 276, <http://www.cmi.no/publications/file/?2056=refugee-warriors-a-problem-of-our-time> (accessed March 19, 2008).

Refugees, both new and long standing, also affect international stability through their role in perpetuating conflict and expanding security issues. When war strikes at home, refugee camps provide a modicum of security, which non-official combatants can exploit. The Rwandan genocide and consequent refugee exodus of Hutu from Rwanda to refugee camps in eastern Congo in 1994 is an example of this type of decreasing regional stability. Soldiers and former regime leaders regrouped and established bases within the refugee camps “from which they launched cross border attacks against Rwanda.”²⁵ These cross-border incursions led to retaliatory attacks by Rwanda into Congo territory. By these actions, the door to international threats and regional stability concerns is opened. Thus, refugee rebels brought the sovereignty of the host country under attack. Clearly, long-existing refugees create dangerous cross border security issues when sufficient resolutions for their condition cannot be found.

Another destabilizing consequence of militant refugees is that of international aid. In her book Dangerous Sanctuaries, Sarah Kenyon Lischer identifies a number of ways in which aid provides status to refugee combatants. When warrior refugees can gain control of doling out rations or aid workers have to negotiate through them to provide relief, these rebels gain legitimacy and refugee aid may be funneled into the war effort. In one instance, “during the Rwandan refugee crisis, militant leaders diverted large amounts of aid by inflating population numbers and pocketing the excess.”²⁶ Lisher states, “In reality, any humanitarian action in a conflict zone will have political, and possibly military, consequences....”²⁷ Furthermore, supplies and money destined to support innocent people can become war staples when rebels pilfer aid compounds. “Thousands, if not millions, of dollars of relief resources, including vehicles and communication

²⁵ Sarah Kenyon Lischer, *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca: Cornell University Press, 2005), 80.

²⁶ Sarah Kenyon Lischer, *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca: Cornell University Press, 2005), 7.

²⁷ Sarah Kenyon Lischer, *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca: Cornell University Press, 2005), 9.

equipment, are stolen every year.”²⁸ These stolen goods supplied by host and international sources sustain the cross-border fight.

There is a great danger in harboring rebel combatant groups in neighboring states. Allowing any sort of militarization within a refugee camp greatly amplifies this threat by creating a population base, as well as offering international aid and protection to the violent insurgents. The power of the refugees inside the camp and unchecked cross border actions threaten regional security and the sovereignty and stability of the host state.

B. CAUSES OF SECURITY ISSUES

From the occurrences presented here, several common factors may be identified as directly influencing security issues. Many of the difficulties and security risks surrounding refugees come from tensions between local and refugee populations due to financial strains and cultural difficulties. Economics, which affects quality of life, is the first underlying factor in nearly all instances. Without sufficient funding poverty among refugees climbs, and the resources of the host state and community dwindle, decreasing the quality of life for nearly everyone, and increasing tensions. The second component influencing the rise of security issues related to refugees is the amplification of cultural differences and the lack of sufficient space to integrate into the local culture. When a specific divide is created between the alien group and the host group, host country citizens can find it easy to associate growing problems with the foreign group, causing increased tensions from both sides. Another major threat to security comes from the presence of combatants in the host country, particularly in refugee camps where they can exploit protection and aid. The development of resistance movements among refugee groups can diminish the physical security and the sovereignty of the host country. An in-depth evaluation of how refugees both react to personal financial hardship, as well as

²⁸ Sarah Kenyon Lischer, *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca: Cornell University Press, 2005), 8.

create financial strain on the host community, and in what ways cultural differences can be minimized or accepted to prevent conflict may give insight into ways of increasing both national and regional security.

This chapter has provided an introduction to the types of security issues that surround refugees at the camp, national and international levels. A familiarity with what the potential security risks are and particularly what factors influence and/or cause these problems will help to understand how national policies towards refugees affect increased or decreased national and regional security throughout the remainder of this thesis.

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III. INTERNATIONAL LAW AS A FRAMEWORK FOR STATE REFUGEE POLICIES

This chapter establishes the intentions developed by the international community for refugee protection and care. Since a refugee is without national representation by a state government, the international community through the use of conventions and agreements has created a set of guidelines for the ideal and expected treatment of refugees. A review of these agreements will provide background and insight into the policies ideal for refugee treatment.

The right to protection by one's home nation is an expectation that is commonly accepted among the citizens of advanced nations. For those populations who flee strife, or threats to personal security in their country, such protection does not exist. By the end of 2007, the United Nations High Commissioner on Refugees estimates that there were more than 16 million refugees worldwide.²⁹ Thus, without representation by a state these people are unprotected in their current location and in the international community. Therefore, the international community has realized a responsibility to step up and establish the rights and protection that must be afforded to these people. There is, however, a growing gap between the intentions and rights outlined in international laws and the policies implemented by host countries. This chapter will present a brief overview of refugee law to reveal the outlook and the protection gap.

In order to understand the development of international law regarding refugees and how it is intended to influence national laws, this section will focus on currently applicable bodies and agreements governing refugees. First, the creation of the United Nations Conciliation Commission for Palestine followed by the United Nations Relief and Works Agency to support Palestinians in the wake of the creation of Israel will be reviewed. Next, the advent of the 1951 UN Convention on the Status of Refugees and the related 1967 Protocol will be discussed to identify international response granting

²⁹ "2007 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons," *UNHCR*, <http://www.unhcr.org/statistics/STATISTICS/4852366f2.pdf> (accessed October 29, 2008).

rights and attempting to resolve the situation of resultant refugees following World War II. Also, international agreements specific to the Middle East will be noted. Lastly, the change in interpretation of the 1951 UN Convention and creation of more recent international legislation will be examined in the realization of security issues resulting from new and protracted refugee situations. Through these examinations, the changing response of the international community governing refugees will be shown and the intended responsibility of states will be identified.

A. THE UNITED NATIONS ADDRESSES THE PALESTINIAN SITUATION

In December 1948, the United Nations General Assembly established the United Nations Conciliation Commission for Palestine (UNCCP) with the intent to provide protection to and solutions for the Palestinian displacement. The Commission's purpose was to attain, through negotiation a resolution to the conflict between Israel and Palestine and "to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation (para.11)."³⁰ Unfortunately, though endowed by the UN with the power to act as an international mediator, this commission was unable, like so many after it, to produce the desired truce between the political representatives of the Arab and Israeli sides to the conflict. The failure of the UNCCP to fulfill its mandate, eventually lead to its *de facto* dissolution leaving the Palestinians without an international protections regime since 1952.³¹

One accomplishment of the UNCCP was the creation of the United Nations Relief and Works Agency (UNRWA) under Resolution 302(IV) in December 1949 "to carry out direct relief and works programmes for Palestine refugees" at the recommendation of the commission's Economic Survey Mission.³² This work continues to be accomplished

³⁰"World Economic and Social Survey 2004: International Migration," *Department of Economic and Social Affairs, United Nations Publications*, 168, <http://www.un.org/esa/policy/wess/wess2004files/part2web/chap7.pdf> (accessed October 24, 2008).

³¹ BADIL Resource Center, "Palestinian Refugees Excluded from the International System of Refugee Rights Protection," (Geneva, September, 2001), 4, <http://www.badil.org/Publications/Monographs/UNHCR.Pre-Excomm.2001.pdf> (accessed October 29, 2008).

³² "Establishment of UNRWA," *UNRWA*, <http://www.un.org/unrwa/overview/index.html> (accessed October 24, 2008).

today through administering relief, health, education and social services to refugees in Jordan, Lebanon, Syria and the occupied territories of Gaza and the West Bank. UNRWA coordinates through local governments to provide services directly to Palestinians. Although the UN Relief and Works Agency is the longest standing and only organization dedicated to one specific group of refugees, its mandate is limited to a humanitarian role and thus, UNRWA does not have any political influence or responsibility in resolving the status of the Palestinian refugees.³³

B. UNITED NATIONS CONVENTION AND PROTOCOL ON THE STATUS OF REFUGEES

Relevant international refugee law begins with the United Nations creation of the United Nations High Commissioner for Refugees (UNHCR) in December 1950 to protect and assist refugees. A unique characteristic of this organization was the endowment by the UN General Assembly with the power for “promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments thereto” and to create special agreements with individual governments to “improve the situation of refugees and to reduce the number requiring protection.”³⁴ In this way the UNHCR had the direct ability to affect changes and make agreements that would benefit refugees rather than limiting it to strictly mandated roles.

An example of this new ability promotes protection for the rights of refugees, which was first granted to the UNHCR, is demonstrated by the 1951 UN Convention on the Status of Refugees. The 1951 Convention’s “principal objective was always the regulation of issues of legal status and treatment, rather than the grand design of universally acceptable solutions.”³⁵ This convention applies the term “refugee” universally such that identification of a refugee could be applied individually rather than to the previously typical mass ethnic displacements through World War I and II.

³³ “Frequently Asked Questions,” UNRWA, <http://www.un.org/unrwa/overview/qa.html#a> (accessed October 24, 2008).

³⁴ Volker Türk, “The Role of UNHCR in the Development of International Refugee Law,” in *Refugee Right and Realities: Evolving International Concepts and Regimes*, ed. Frances Nicholson and Patrick Twomey (Cambridge: Cambridge University Press, 1999), 160.

³⁵ Goodwin-Gill, *The Refugee in International Law* (New York: Oxford University Press, 1983), 149.

However, article 1.D of the Convention stipulates that “this convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees” which by majority interpretation excludes those refugees under mandate and care of UNRWA.³⁶ The convention specifically set forth the rights of refugees in general and provided a legal framework for their international protection. Where previous international agreements and bodies were typically concerned with alleviating refugee situations they were also mandated to refugee organizations by higher authority leaving them limited in their power to affect change.

The provisions of the 1951 UN Convention on the Status of Refugees cover both the rights and responsibilities of refugees. First a refugee is obliged to be law abiding in the host country. It continues by addressing juridical status, gainful employment, rights to welfare (housing, education, and rationing) on par with citizens, and the ability to move freely and choose their place of residence. In addition to these clauses, the convention delineates a number of administrative refugee rights and state responsibilities. In essence, the convention presents the ideal conditions and interactions between refugees and host countries where in most cases refugees are accorded at least the benefits extended to legal aliens, but more often those on par with citizens.³⁷

Although the UNHCR was established with a sense of permanency, this original convention was bound by time by characterizing refugees “as a result of events occurring before 1 January 1951,” and/or geographic location because on ratification each state had to specify either “events occurring in Europe” or “events occurring in Europe or elsewhere.”³⁸ The realization that refugees would not go away had come, but the change in legislation to encompass all refugees would be slower to evolve.

³⁶ “World Economic and Social Survey 2004: International Migration,” *Department of Economic and Social Affairs, United Nations Publications*, 169, <http://www.un.org/esa/policy/wess/wess2004files/part2web/chap7.pdf> (accessed October 24, 2008).

³⁷ “Convention Relating to the Status of Refugees,” *Office of the High Commissioner for Human Rights*, www.unhcr.ch/html/menu3/b/o_c_ref.htm (accessed November 15, 2008).

³⁸ “Convention and Protocols relating to the Status of Refugees,” *United Nations High Commissioner on Refugees*, <http://www.unhcr.org/basics.html> (accessed Feb. 5, 2008).

In response to the growing number of refugee situations since the 1951 Convention Relating to the Status of Refugees and to the worldwide nature of the conditions, the UNCHR began to raise the question of removing the limitations of the 1951 Convention.³⁹ The 1967 Protocol Relating to the Status of Refugees was the final product, which eliminated the constraints of time and place on applicability of the rights and responsibilities granted by the 1951 convention to the emergence of new groups of refugees.

C. MIDDLE EAST REGIONAL AGREEMENTS

The League of Arab States ratified the Casablanca Protocol in 1965 addressing some of the major issues facing Palestinians in the Arab countries. These primary concerns included the right to employment equal to that of citizens as well as to obtain visas and documents necessary to travel between countries and to return to their current host country.⁴⁰ In addition to the explicitly stated rights, derived and intended freedoms include “to unite with family members, to own private property, to benefit from a wide spectrum of international human rights guarantees.”⁴¹ The Casablanca Protocol is “the most comprehensive document regulating issues arising from the Palestinian presence in the Arab world,” however, the acceptance of these rights is agreed to and employed to varying degrees by the member nations of the Arab League.⁴²

Shortly after the 1967 Protocol, the Organization of African Unity (OAU) moved to address the refugee problems on the African continent such as the one in Rwanda. This convention was novel in as much as its definition includes those who “flee to get away from war and civil war, natural catastrophe and famine as much as to escape

³⁹ Volker Türk, “The Role of UNHCR in the Development of International Refugee Law,” in *Refugee Rights and Realities Evolving International Concepts and Regimes*, ed. Frances Nicholson and Patrick Twomey (Cambridge: Cambridge University Press, 1999), 162.

⁴⁰ “Protocol for the Treatment of Palestinians in Arab States [“Casablanca Protocol,”]” *BADIL*, <http://www.badil.org/Documents/Protection/LAS/Casablanca-Protocol.htm> (accessed March 1, 2008).

⁴¹ Nell Gambian, “Negotiating Rights: Palestinians and the Protection Gap,” *Anthropological Quarterly* 79, no. 4 (2006), 719, http://muse.jhu.edu/journals/anthropological_quarterly/v079/79.4gabiam.pdf (accessed March 3, 2008).

⁴² “Refugees in Arab States,” *Islamonline*, http://www.islamonline.net/english/In_Depth/PalestineInFocus/Thepeople/articles/01.shtml (accessed October 29, 2008).

persecution at the hands of an oppressive government.”⁴³ The UNHCR worked together with representatives of the OAU to consider the situation of refugees in Africa and agreed to continue to work together as article 8 of the convention states it is “the effective regional complement in Africa of the 1951 United Nations Convention on the Status of Refugees.”⁴⁴

D. CHANGING INTERPRETATIONS

The current state of refugees encompasses not only newly arising groups, but also the persistence of a large number of refugee situations. Whereas one hundred years ago refugees were a newly recognized phenomenon in the international community, now those same groups of people that the world thought would eventually go home are still stateless and in need of protection. Both new and enduring refugees now pose real concerns for the international community in light of globalization and increased security threats.

One category of refugees that has created a security threat in itself is the 33 groups of protracted refugees that, according to the UN, each include more than 25,000 people who have been outside of their home countries for greater than 5 years.⁴⁵ A number of these situations have remained unresolved for several decades. Among these are the Rwandans who fled ethnic violence; the Afghanis who fled an oppressive communist regime, years of civil war and U.S. bombing; and the Palestinians who fled Jewish occupied territories following the Israeli declaration of independence. The difficulties in repatriating many of these refugees and the strong ethnic identities that hinder integration in host country communities keep these refugees in a state of limbo that often coincides with security problems for both the host country and the region.

⁴³ Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmundur Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 404.

⁴⁴ “Convention Governing the Specific Aspects of Refugee Problems in Africa,” *African Union*, www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Refugee_Convention.pdf (accessed March 21, 2008).

⁴⁵ “Protracted Refugee Situations: Millions Caught in Limbo, With No Solutions in Sight,” *United Nations*, <http://www.un.org/events/tenstories/06/story.asp?storyID=2600> (accessed March 21, 2008).

Refugee flows, such as the Rwandans who fled during the revolution beginning in 1959 and who were never adequately resettled or able to repatriate, create several direct and indirect security threats. It “was widely recognized that the failure of the international community to find a lasting solution for the Rwandan refugees...was a key factor that put in motion the series of events that led to” the invasion of Rwanda in October of 1990 by descendants of the Tutsi refugees.⁴⁶ Other security issues that arise in long standing situations are “arms trafficking, drug smuggling, trafficking in women and children, and the recruitment of child soldiers and mercenaries.”⁴⁷ Clearly, deteriorating conditions and the struggle to sustain a living as a nearly ‘forgotten’ population poses threats that should remind the international community of its responsibility to protect these people.

The realization of these security concerns has influenced the reaction of the international community towards refugees around the globe. The case of protracted refugee situations has caused some states to curb the rights of refugees. The introduction to the UN’s State of the World’s Refugees 2006 identifies two negative changes in the management of refugees. One is the “overly restrictive application of the Convention and its 1967 Protocol,” and the other is “alternative protection mechanisms that guaranteed fewer rights than those contained in the convention.”⁴⁸ Through reinterpreting the previously ratified laws or enacting new ones, various countries are adjusting their response towards new and existing refugees.

One change in applying the 1951 Convention and/or the 1967 Protocol is the growing suspension of the rights expressed within these documents in order to minimize the number of refugees or asylum seekers that a country has to consider or accept. The Convention leaves up to each nation the responsibility to determine who qualifies to be a

⁴⁶ “Protracted Refugee Situations and Peacebuilding,” *United Nations University*, <http://www.unu.edu/publications/briefs/policy-briefs/2007/PB01-07.pdf> (accessed March 21, 2008).

⁴⁷ “Protracted Refugee Situations: Millions Caught in Limbo, With No Solutions in Sight,” *United Nations*, <http://www.un.org/events/tenstories/06/story.asp?storyID=2600> (accessed March 21, 2008).

⁴⁸ “State of the World’s Refugees: Human Displacement in the New Millennium,” *UNHCR The UN Refugee Agency*, <http://www.unhcr.org/publ/PUBL/4444afd111.pdf> (accessed March 17, 2008).

refugee based on the definition that the agreement provides.⁴⁹ This is one easy area for states to affect whether or not they will accept people within their country for if they are not a refugee then the state has no obligation to protect them. A state may adjust the parameters for what qualifies as persecution strictly to the five items listed in the Convention, rather than allowing the expanded meaning addressed by the Organization of African Unity (OAU) which includes those who “flee to get away from war and civil war, natural catastrophe and famine as much as to escape persecution at the hands of an oppressive government,”⁵⁰ or it can selectively apply the meaning of “well-founded fear” thereby placing the burden of proof on the refugee.⁵¹ Through reinterpreting the 1951 Convention wording, a receiving state can manipulate who is welcome at its door and attempt to avoid any accusation of refoulement under international law.

Another change stems from the burden felt by the host state and the security concerns raised by many protracted groups of refugees. For these reasons some receiving countries place a limitation on the rights granted to refugees. When risk factors are high, often, the first reaction is to curtail the refugees’ freedom of movement through closing off a camp from the surrounding area. Although the Convention requires a host state to “accord to refugees lawfully in its territory the right to choose their place of residence to move freely within its territory,” many countries practice detaining refugees. One example is a law that Germany passed in 1980 “requiring asylum seekers to stay in special camps, restricting their freedom of movement...and forbidding them to take any

⁴⁹ Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmunder Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 410.

⁵⁰ Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmunder Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 404.

⁵¹ Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmunder Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 411.

employment for two years.”⁵² This type of action deters refugees from entering or applying for asylum due to the perceived and real lack of appropriate protection and the limited opportunities to obtain a sufficient livelihood.

Another reaction that countries are making in response to the increase security risks associated with accepting refugees is to legislate other forms of refugee protection preventing them from entering or staying in that country. While the 1951 Convention specifically addresses the principle of non-refoulement, several new concepts attempting to regulate the country in which a refugee can apply for permanent residency have emerged. A first example is the principle of “Country of First Asylum.” This concept developed from the Swedish Aliens Act says “a refugee is entitled to asylum in Sweden if he needs such protection.”⁵³ This law is intended to return all refugees who stop in another country prior to Sweden to that country for asylum application since it assumes that ample protection is available in the previous location. The UNHCR Executive Committee (EXCOM) in its 1979 conclusion set out guidelines for helping to determine the “Country of First Asylum.”⁵⁴ Basically, states want to place responsibility on the first location a refugee enters and are trying to eliminate the ability of a refugee to choose his or her final destination.

The Safe Third Country concept is a practice, which would also prevent a refugee from seeking asylum in a country while coming from or in a country that is considered safe. The United States and Canada signed this agreement in 2004 and it was monitored by the UNHCR for the first year. This agreement states that each country will reject

⁵² Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmunder Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 413.

⁵³ Atle Grahl-Madsen, “Stemming the Tide: Refugee Law and Policy for a Troubled Age,” in *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Peter Macalister-Smith and Gudmunder Alfredsson (Boston: Martinus Nijhoff Publishers, 2001), 415.

⁵⁴ Jens Vedsted-Hansen, “Non-admission Policies and the Right to Protection: Refugees’ Choice Versus States’ Exclusion?” in *Refugee Rights and Realities: Evolving International Concepts and Regimes*, ed. Frances Nicholson, Patrick Twomey (Cambridge: Cambridge University Press, 1999), 281.

asylum requests from refugees in the other due to the fact that both are considered safe countries and therefore a refugee must apply for asylum in the first country he or she reaches and does not have the right to choose a final country of asylum.⁵⁵

Most recently, refugees, specifically groups of protracted refugees, are viewed primarily as a security risk. A growing concern for border security either from cross border attacks by militant refugees or from the possible entry of terrorists or drug smugglers, has caused the emergence of a number of new laws and agreements predominantly at the national, but also at the international level, restricting the movement and entry of refugees into countries of potential asylum. The shift from refugee focused legislation through addressing the obligation to protect and provide rights, to the current concern for the security of the host country above that of the refugee, reflects a response to perceived refugee created issues rather than legislation that aims to prevent such problems. Without a doubt refugees will continue to flee dangerous situations and so long as they cannot return and they cannot find an open country for resettlement, security issues will continue to fester. The general question becomes can these problems be minimized through focusing on integrating policies.

This chapter demonstrated, first, how the international community reacted to the 1948 exodus of the Palestinians, and next, what the optimal treatment for refugees should be as determined by the international community. Furthermore, this chapter established a framework for state policies through the intended integrating treatment and responsibilities outlined in the reviewed international agreements. Refugee laws at the national level must acknowledge the host country's responsibility to provide proper identification and protection for refugees, allow for freedom of movement, the ability to achieve a livelihood sufficient for adequate living standards, and to prevent non-refoulement. Through examining the policies of Lebanon, Egypt and Syria that affect refugees this thesis will seek to identify potential preventative and integrating as opposed to problematic and isolating policies to increase security for host countries and refugees.

⁵⁵ "Safe Third Country," *Canadian Council for Refugees*, <http://www.ccrweb.ca/S3C.htm> (accessed February 25, 2008).

IV. POLICY AND REFUGEE RESPONSE IN LEBANON

This chapter will demonstrate a connection between Lebanese policy towards Palestinian refugees and the security related issues the Lebanon has struggled with since 1948. This country's policies will be identified and the resulting conditions for the refugees will be noted. Lastly, security dilemmas involving the Palestinians and their relationship to these refugees will be identified.

Lebanon is a country characterized by deep sectarian lines and a delicate balance between the various religious groups. After the initial support for Palestinian refugees in the years directly following the events of 1948, fear that any permanent settlement by Palestinians would drastically alter the precarious balance between the existing communal groups caused the Lebanese to look at the refugees as a major threat and a matter of security rather than a situation of humanitarian crisis or rights. Viewed as a threat, the government has continuously employed policies that objectified and isolated the Palestinian refugees. Although less prominent at the very beginning, this has been a true factor in the treatment of the Palestinian refugees since their first arrival in Lebanon.

There are currently 409,714 Palestinians living in Lebanon and registered with the United Nations Relief and Works Agency (UNRWA).⁵⁶ The original influx of refugees to Lebanon began slowly with the wealthier middle class Palestinians who had previous connections to Lebanon and sought to ride out the expected finite violence at home in safety abroad. When the violence of the 1948 Arab-Israeli war occurred, nearly 100,000 Palestinians fled to Lebanon, mostly settling in the border regions.⁵⁷ They were initially helped by generous Lebanese citizens, the International League of Red Cross Societies and state land and resources to support aid agencies. With the beginning of UNRWA operations in 1950, primary care and services were provided by the United Nations through refugee camps.

⁵⁶ "Lebanon Refugee Camp Profiles," UNRWA, <http://www.un.org/unrwa/refugees/lebanon.html> (accessed October 22, 2008).

⁵⁷ "FMO Research Guide Lebanon", *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/> (accessed August 18, 2008).

The end of the Palestinian Mandate on May 15, 1948 and the events that displaced hundreds of thousands of Palestinians to make way for the new Jewish state created a situation that to this day affects the stability and security of neighboring Lebanon. Although the Lebanese opened its borders to the influx of refugees, neither the Palestinians nor the Lebanese saw the Palestinian presence as permanent. This allowed Lebanon to prevent the integration through means of permanent settlement or citizenship of the majority of the refugees, without complaint or objection by the Palestinians. However, over the course of the past 60 years, the persistent policy by Lebanon of non-integration in nearly every aspect of Lebanese society has contributed to the isolation of the Palestinians in Lebanon, and ensuing negative security consequences.

A. INTERNATIONAL LEGAL INFLUENCES

Lebanon stands in a legal gap in regards to international and national refugee and asylum law. Since this country is not party to the predominant United Nations Convention on the Status of Refugees nor the 1967 Protocol, Lebanon does not acknowledge the expected rights and responsibilities to which refugees should be entitled.⁵⁸ Although not party to the main international agreements governing the treatment of refugees, Lebanon is not entirely free of protection for refugees.

Lebanon is party to several other agreements that should both directly and indirectly influence its policies towards the treatment of refugees. First, the principle of non-refoulement is a “fundamental humanitarian principle” and has been recognized as a principle of customary international law binding on all states.”⁵⁹ Through this principle Lebanon cannot force any Palestinian to return to Israel. However, while stateless, the lack of acknowledgement of refugee rights at an international level leaves refugees subject to the national laws existing in Lebanon.

⁵⁸ Lisa Raffonelli, “With Palestine, Against The Palestinians: The Warehousing of Palestinian Refugees in Lebanon,” *US Committee on Refugees*, <http://www.refugees.org/data/wrs/04/pdf/66-73.pdf> (accessed September 19, 2008).

⁵⁹ “Annual Report 2007,” *Frontiers*, 2007, 19, <http://www.frontiersassociation.org/pubs/Frontiers%202007%20Annual%20Report.pdf> (accessed October 21, 2008).

Second, the provisions of the 1965 Casablanca Protocol minimally address this void of the accepted use of international law. Lebanon is party to the Casablanca Protocol of 1965; however it makes reservations to aspects of each article and to two of the articles in their entirety.⁶⁰ Through reservations expressed at the time of signing, Lebanon tied the rights to work and travel to the “prevailing social and economic conditions” in the country as well as “in accordance with the laws and regulations in operation.”⁶¹ At the same time Lebanon declined to provide Palestinians with travel documents, or to allow equal treatment as citizens for residency or visa applications. Essentially, these reservations to the Protocol make a complete exception to the agreement’s purpose to freely allow Palestinians to work and travel on par with the citizens of Arab states. Therefore, although having signed this agreement, Lebanon maintains the ability to treat refugees with disregard.

The conventions to which Lebanon declined to sign and the reservations it has made to the agreements it did ratify reflect Lebanon’s primary concern for the highest interests of the government. Without actual legal status under Lebanese law, Palestinian refugees are not, in the view of the state, entitled to any rights. The policies of the Lebanese state are determined primarily by the whims of the government and the fears of burdens resulting from equal treatment of refugees. The following discussion will reveal that the policies and laws Lebanon has decided to enact regarding refugees are generally without guidance or consideration for international laws.

B. POLICY AND TREATMENT

1. Prior to 1969

Initially, the Lebanese government was sympathetic to the situation of the Palestinian refugees. However, once it was clear that there would not be a simple and timely solution to the refugee problem, the government began to implement policies to

⁶⁰ Sherifa Shafie, “Palestinian Refugees in Lebanon,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/fmo018.pdf> (accessed August 18, 2008).

⁶¹ “Protocol for the Treatment of Palestinians in Arab States [“Casablanca Protocol,”]” *BADIL*, <http://www.badil.org/Documents/Protection/LAS/Casablanca-Protocol.htm> (accessed March 1, 2008).

discourage any type of permanent settlement.⁶² The official status of the Palestinians in Lebanese law has never been addressed, leaving the refugees subject to flexible and changing legislation and its interpretations.

For the first several years, the Palestinians did not pose an obvious political or security problem for the Lebanese. “The initial Lebanese rhetoric in the press and by government officials cast refugee-host relations as those of guest and host.”⁶³ The Palestinians did not hold their host country responsible for their hardship, and the Lebanese extended what hospitality that they could. The refugees’ “preoccupation during the immediate postwar years was physical survival...they [sought] self-determination *outside* the countries in which they [lived].”⁶⁴ As this statement implies, living as a refugee was gravely difficult, particularly in light of the fact that the Palestinians and the Lebanese sought to avoid any development that could be seen as progression towards permanency for refugees within their host country.

By 1952 UNRWA was charged with organizing and servicing the Lebanese refugee camps in which nearly one-third of the refugees lived. Movement in, out of, and between camps was very limited and monitored by permission of the Lebanese forces at the camp entrances. For Palestinians “sharing space, narratives, and experiences set the stage for common interests to foment, take shape and become recognized as such.”⁶⁵ Pivotal to this period and stemming from the living conditions and treatment of refugees was a sense of “outsider” which developed as part of the Palestinian identity in refugee

⁶² Sherifa Shafie, “Palestinian Refugees in Lebanon,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/fmo018.pdf> (accessed August 18, 2008).

⁶³ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 109.

⁶⁴ Laurie A. Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 11.

⁶⁵ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 116.

camps.⁶⁶ This sense of alienation set the stage for the emergence of and dedication to the resistance movement that would engender decades of violence. Peteet describes the refugee camps during this period as “sites of waiting and confinement”⁶⁷

One initial problem with the acceptance of refugees was the great disparity in treatment. A number of refugees, particularly the middle class with economic and familial relations in Lebanon, as well as Christian Palestinians, were welcomed and offered advantages that many Palestinian refugees did not. For instance, “Lebanon offered the children of middle-class Palestinians excellent educational facilities for career advancement, whereas the education and training of “camp Palestinians” was greatly restricted.”⁶⁸ Also, the Orthodox Church, essentially segregating what were in their country of origin integrated Palestinian villages, gave sectarian-based relief to Christian refugees. In addition, Christian Palestinians were granted citizenship by the state, which “beyond access to the Lebanese education and health care system, the protection of a state and residential stability were undeniably valued assets.”⁶⁹ The dominant Maronite Christian sect accomplished the harboring of refugees through citizenship presumably to maintain a confessional majority through an increased Christian population.⁷⁰

Early on, the Lebanese government did not tightly restrict economic options for the refugees. During this time, Palestinians who had arrived with resources and/or had prior business connections in Lebanon were able to settle in urban areas and attempt to build businesses. Working class refugees created competition in several sectors of the

⁶⁶ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 126.

⁶⁷ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 133.

⁶⁸ Rosemary Sayigh, “Palestinians in Lebanon: Insecurity and Flux,” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell (London: Unwin Hyman, 1998), 284.

⁶⁹ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 120.

⁷⁰ Julie M. Peteet, “Lebanon: Palestinian Refugees in the Post-War Period,” *Le Monde Diplomatique*, <http://www.monde-diplomatique.fr/cahier/proche-orient/region-lebanon-refugee> (accessed October 16, 2008).

job market for Lebanese citizens. It came to the point that “Lebanese elite and upper classes nervously perceived a potential economic challenge from Palestinian capital.”⁷¹

The 1960s marked the beginning of mobilization among the Palestinians in Lebanon. Concern had grown about the influence of refugees and their potential alignment with the various sectarian Lebanese groups. The Palestinians “were establishing political institutions and military bases inside their refugee camps. Unlike the situation of Palestinians elsewhere, they were free to organize politically and militarily as they chose.”⁷² The Lebanese government exercised control through policing the camps and “all aspects of refugee life related to ‘national security’ while the United Nations Relief and Works Agency provided food, supplies, education and other necessary requirements.”⁷³

The Lebanese government from the time of President Fouad Chehab (1958-1964), began to implement and maintain “a variety of restrictive measures as part of Beirut’s undeclared policy of preventing their integration and encouraging emigration.”⁷⁴ During his leadership Lebanon established a secret police to monitor “and repress refugee political activity, fearing both Israeli reprisals and a demographic upset in Lebanon’s sectarian balance with the influx and subsequent politicization of the largely Sunni Muslim refugee population.”⁷⁵

Overall, the period from 1948 through the late 1960s was a period of survival for the Palestinians in Lebanon. Though accepted into the country, any resemblance of permanency was avoided or forbidden, and the identity developed among the refugees

⁷¹ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 109.

⁷² Latif Abul-Husn, *The Lebanese Conflict: Looking Inward* (Boulder, CO: Lynne Rinner Publishers, 1998), 44.

⁷³ Sayigh, Rosemary. “Palestinians in Lebanon: *Insecurity and Flux*,” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell (London: Unwin Hyman, 1998), 280.

⁷⁴ Simon Haddad and Dima Jamali, “The Politics of Refugees’ Non Integration: The Dilemma of Palestinians in Lebanon,” *Journal of International Migration and Integration* 4, no. 1 (Winter, 2003), 6, <http://jimi.metropolis.net/TOC41.pdf> (accessed September 22, 2008).

⁷⁵ Julie M. Peteet, “Lebanon: Palestinian Refugees in the Post-War Period,” *Le Monde Diplomatique*, <http://www.monde-diplomatique.fr/cahier/proche-orient/region-lebanon-refugee> (accessed October 16, 2008).

was one of “unwanted outsider.” The restrictive policies, “camp residence, poverty and dependence on UNWRA rations had a ghettoizing effect,” and created frustration among the refugees.⁷⁶ Following the failure of the Arab states in the 1967 Arab-Israeli War, policies of political repression and the restriction of pro-Palestinians movements across the region created a change the Palestinians in Lebanon. In Lebanon, the suppression of political mobilization was trumped by the surge of Palestinian guerilla activities and support for political activism among the refugees.

2. 1969 to the PLO Expulsion in 1982

The next phase of policy and resultant security issues in Lebanon was motivated by the signing 1969 Cairo Agreement, which allowed the establishment of the PLO in Lebanon, providing bases for attacks against Israel, and a significant degree of autonomy for the refugee camps. This agreement was as negative for Lebanon as it was beneficial for the Palestinians. On one hand, the Accord afforded the Palestinian refugees the following privileges:

1. The right to work, residence, and movement for Palestinians currently residing in Lebanon;
2. The formation of local committees composed of Palestinians in the camps to care for the interests of Palestinians residing in these camps in cooperation with the local Lebanese authorities within the framework of Lebanese sovereignty;
3. The establishment of posts of the Palestinian Armed Struggle [PASC] inside the camps for the purpose of cooperation with the local committees to ensure good relations with the Lebanese authorities. These posts shall undertake the task of regulating and determining the presence of arms in the camps within the framework of Lebanese security and the interests of the Palestinian revolution;
4. Palestinians resident in Lebanon are to be permitted to participate in the Palestinian revolution through the Armed Struggle and in accordance with the principles of the sovereignty and security of Lebanon.⁷⁷

⁷⁶ Rosemary Sayigh, “Palestinians in Lebanon: *Insecurity and Flux*,” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell (London: Unwin Hyman, 1998), 289.

⁷⁷ “The Cairo Agreement November 3, 1969,” *Middle East Historic Documents*, http://www.lebanonwire.com/prominent/historic_documents/1969_cairo_agreement.asp (accessed October 17, 2008).

The first of the four provisions theoretically granted the refugees greater rights than ever before in the areas of work, residence and movement. While the second three gave control of the refugee camps to the Palestinian Revolutionary Movement and allowed the Palestinians to plan and carry out attacks against Israel in coordination.

The Palestinian Resistance Movement quickly consolidated power and began to develop “social and cultural institutions, organs of self government and security, and a powerful economic presence.”⁷⁸ Lebanese security forces ceased to enforce laws or patrol inside of the Palestinian refugee camps, and under PLO control refugees began to feel a sense of safety within the camps.⁷⁹ The borders of the camps pushed outwards as multilevel cement buildings took the place of temporary structures. Social services skyrocketed, offering Palestinians employment through PLO organizations, and the PLO was also able to offer compensation to families whose members were killed in the resistance movement. This period was one of relative prosperity in which Palestinians in Lebanon maintained greater freedom and mobility than in any other areas of exile.

While the Lebanese could not manage to stop the militarization of its refugee camps, it went a step further in 1969 when it began coordinating with the PLO. By allowing the concentrations of Palestinians autonomy, Lebanon essentially allowed the presence of a “state within a state,” and the actions of the Palestine Liberation Organization against Israel threatened Lebanon’s security in addition to its sovereignty. This combination of factors, allowing the militants to run refugee camps and to attack Israel, drew retaliation not only on the Palestinians but on Lebanese citizens as well. Also during this period, the PLO advanced as a political power within Lebanon and began to sponsor financially and militarily left wing groups leading to resentment from the dominant Maronite Christians and right-wing parties.⁸⁰

⁷⁸ Rashid Khalidi, “The Palestinians in Lebanon: Social Repercussions of Israel’s Invasion,” *Middle East Journal* 38, no. 2 (Spring, 1984), 255.

⁷⁹ “Annual Report 2007,” *Frontiers Association*, 43, <http://www.frontiersassociation.org/pubs/Frontiers%202007%20Annual%20Report.pdf> (accessed October 21, 2008).

⁸⁰ Sherifa Shafie, “Palestinian Refugees in Lebanon,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/fmo018.pdf> (accessed August 18, 2008).

The increased tensions “and resentment from vast sectors of Lebanese society, particularly the Christians and Shi’ite communities” that resulted from Palestinian autonomy and the physical and theoretical threats it posed in turn caused attacks on the refugee camps from factions within Lebanon.⁸¹ In this way, the Cairo Agreement itself became a reason for conflict. Under attack by right-wing militias, the Palestinians fought back to “defend their existence and the quasi-autonomy granted them under the Cairo Accords.”⁸² Since through this agreement the Palestinians had gained rights as refugees not previously or otherwise granted to refugees, as well as relative autonomy, it was cause for the Palestinians to defend their principles against any threat by the opposing Lebanese government or militias.

“This agreement was a political victory for the Palestinians. At the same time, by renouncing right of sovereignty the Lebanese state had obtained no more than an important breathing-space.”⁸³ During this period the Palestinian refugees in Lebanon experienced better conditions than anywhere else in exile. “They, [the resistance movements], built a network of Palestinian social institutions and community development projects in health, education, recreation, and vocational training” within the camps, which “nearly superseded those of UNRWA in all but education.”⁸⁴ Although highly beneficial to the refugees, the development of these institutions and the effectiveness of the Palestinian Resistance Movement posed a real threat to the Lebanese government. Ironically, it was not the Lebanese government who curbed the Palestinians’ power and influence, but the 1982 invasion by Israel to force out the Palestinian Liberation Organization.

⁸¹ “Lebanon: Palestinians Refugees in the Post-War Period,” *Le Monde Diplomatique*, <http://mondediplo.com/focus/mideast/a2361> (accessed October 21, 2008).

⁸² Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 8.

⁸³ Harald Vocke, *The Lebanese War: Its Origins and Political Dimensions* (New York: St. Martin’s Press, 1978), 37.

⁸⁴ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 52.

“Unfortunately, because the Cairo Agreement tied civilian rights to the PLO’s armed activities, the refugees’ status in the country deteriorated as the PLO was embroiled in the Lebanese Civil War after 1975. In 1982, the Israeli invasion of Lebanon forced the PLO from Beirut.”⁸⁵ Although the initial agreement provided benefits to the Palestinians, “the freedom of movement, residency and labour rights remained tied to the Cairo Agreement and never became national legislation.”⁸⁶ This would prove detrimental when the PLO was no longer in control of the refugee camps, again leaving the Palestinians vulnerable in their still unprotected status under Lebanese law.

3. 1982 to the Present

The intense and protracted violence over nearly two decades in Lebanon led to policy that was only more constraining on the Palestinian refugees than during the early years of “hosting” and the nearly autonomous years under the Casablanca Protocol and organization of the PLO. Peteet points out that “in the post-war period Lebanon’s implicit goal with regards to refugees is to marginalize them spatially, economically, politically and socially in their now densely bound refugee camps.”⁸⁷ Poverty continues to be rampant, while the insecurity surrounding the refugees only increases both outside and within the camps.

In order to reinstate the policy of isolating and once again subjugating the Palestinians, the size of the refugee camps have been reduced to their approximate original 1948 boundaries and, once again laws “ban[ned] the construction or repair of existing buildings despite severe damage” to some camps and complete razing of others.⁸⁸ In addition to overcrowding due to population growth and to influxes of new refugees

⁸⁵ “Falling Through the Cracks: Legal and Practical Gaps in Palestinian Refugee Status,” *Frontiers Association*, <http://www.frontiersassociation.org/pubs/FallingThrTheCracks2006PUBFINAL.pdf> (accessed October 20, 2008).

⁸⁶ Sherifa Shafie, “Palestinian Refugees in Lebanon,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/fmo018.pdf> (accessed August 18, 2008).

⁸⁷ Julie M. Peteet, “Lebanon: Palestinian Refugees in the Post-War Period,” *Le Monde Diplomatique*, <http://www.monde-diplomatique.fr/cahier/proche-orient/region-lebanon-refugee> (accessed October 16, 2008).

⁸⁸ Sherifa Shafie, “Palestinian Refugees in Lebanon,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo018/fmo018.pdf> (accessed August 18, 2008).

fleeing dangerous conditions outside, infrastructure is either non-existent or highly over taxed making living conditions far less than adequate to this day.

Discrimination against Palestinians is deeply entrenched in Lebanese law. Explicit laws have been enacted to almost entirely prevent Palestinians from being able to legally hold a job, leaving them without access to legitimate pay or benefits.⁸⁹ These laws originally only affected the poorer refugees, while professional and upper middle classes were only marginally inhibited. However over time like were expanded to affect all Palestinians without citizenship. The way in which work laws pertaining to Palestinians are structured is a systematic denial of rights.⁹⁰ First, being described as foreigners, Palestinians like other foreign or migrant workers, are required to apply for work permits, which are difficult to obtain and are revocable at any time. Next, legislation was passed in 1964 and 1995, preventing Palestinians from working in more than 70 professions.⁹¹ This number was reduced to approximately 20 in June 2005, however legalization still makes Palestinians less desirable due to the increased paperwork and tax burden on employers.⁹² Lastly, reciprocity laws require the same treatment for non-national workers that Lebanese citizens employed in the non-national's home country would provide. Palestinians in Lebanon are essentially isolated from participation in the Lebanese economy through these laws, which effectively prevent them from obtaining legal jobs.

Young Palestinians are guaranteed free primary education in the Lebanese system, and although they can receive primary education through UNRWA it is very difficult to enter secondary school outside of the limited UNRWA opportunities. Even if

⁸⁹ Lisa Raffonelli, "With Palestine, Against The Palestinians: The Warehousing of Palestinian Refugees in Lebanon," *US Committee on Refugees*, 68, <http://www.refugees.org/data/wrs/04/pdf/66-73.pdf> (accessed September 19, 2008).

⁹⁰ Lisa Raffonelli, "With Palestine, Against The Palestinians: The Warehousing of Palestinian Refugees in Lebanon," *US Committee on Refugees*, 68, <http://www.refugees.org/data/wrs/04/pdf/66-73.pdf> (accessed September 19, 2008).

⁹¹ "Persecution faced by Palestinian refugees in Lebanon," *Stateless and Deported: Coalition Against the Deportation of Palestinian Refugees*, <http://refugees.resist.ca/document/situationlebanon.htm> (accessed October 27, 2008).

⁹² "Lebanon: Exiled and Suffering," *Amnesty International USA*, <http://www.amnestyusa.org/document.php?lang=e&id=ENGMDE180102007> (accessed October 27, 2008).

they are able to gain admission, many young Palestinians are forced to drop out to help support their families. Furthermore, motivation to obtain higher education has declined in light of the highly restricted job opportunities. Amnesty international reported that Palestinians feel that their time would be “wasted as they would not be able to use such education to gain a living in Lebanon.” The overall decline in education level has had a detrimental affect on the Palestinian community as a whole. Haddad and Jamali state that, “The resulting lack of education has jeopardized the economic independence and productivity of Palestinians.”⁹³ Clearly, the economic repression of the refugees is degrading both to their motivation and their ability to achieve a living.

A law was also passed in 1969 prohibiting Palestinian refugees from owning or buying land. Any property registered or unregistered that had been purchased prior to the enactment of this law was reacquired by the state.⁹⁴ Furthermore any property that was held by a Palestinian automatically reverts to the state upon their death rather than to a Palestinian heir.⁹⁵ This prevents any potential for these refugees to create a stable life for themselves, either through opening a business or obtaining a residence. In this way the Lebanese government penalizes these refugees both economically and in terms of camp confinement.

During the 1980s, following the removal of the Palestinian Liberation Organization, continued attacks and purging of Lebanese villages forced many refugees to move into the already crowded refugee camps. A lack of internal security in Lebanon for both Lebanese citizens and Palestinian refugees stems from citizens “who blame the Palestinians for their own misfortunes and have a profound sense of grievance after many

⁹³ Simon Haddad and Dima Jamali, “The Politics of Refugees’ Non Integration: The Dilemma of Palestinians in Lebanon,” *Journal of International Migration and Integration* 4, no. 1 (Winter, 2003), 7-8, <http://jimi.metropolis.net/TOC41.pdf> (accessed September 22, 08).

⁹⁴ “Annual Report 2007,” *Frontiers*, 2007, 28, <http://www.frontiersassociation.org/pubs/Frontiers%202007%20Annual%20Report.pdf> (accessed October 21, 2008).

⁹⁵ Lisa Raffonelli, “With Palestine, Against The Palestinians: The Warehousing of Palestinian Refugees in Lebanon,” *US Committee on Refugees*, 68, <http://www.refugees.org/data/wrs/04/pdf/66-73.pdf> (accessed September 19, 2008).

years of war in Lebanon.”⁹⁶ From the Lebanese perspective, the refugees are to blame for the war and insecurity that has plagued their country. This attitude is enabled by the persistent Lebanese view of the Palestinians as outsiders who, although they share similar characteristics with the Arab Lebanese, have established and exercised autonomy over a separate culture, a culture which drew Lebanon into war.

4. Recent Changes

In recent years, it appears that Lebanon has made attempts to improve the situation of Palestinians in Lebanon. However, the timeliness and effectiveness of these efforts has not drastically improved the abject poverty and discrimination that these refugees have dealt with for decades. First, the 2003 Memorandum of Understanding with the UNHCR is the only explicit Lebanese document that identifies the existence of refugees and asylum seekers. The most important aspect of the memorandum is that for the first time Lebanon acknowledges the right of refugees to be in the country, however it does not offer any protection, and after the temporary one-year period detention or deportation is possible.⁹⁷

In addition to opening previously closed professions, another 2005 legislation granted Palestinians born and registered in Lebanon the right to work on par with Lebanese counterparts in non-professional jobs, however due to the persistence of reciprocity laws this apparent benefit made no difference since a legal Palestinian employee would be more costly than available illegal workers. Therefore, while appearing to give rights this legislation left Palestinian workers uncompetitive in the labor force.⁹⁸

⁹⁶ Rashid Khalidi, “The Palestinians in Lebanon: Social Repercussions of Israel’s Invasion,” *Middle East Journal* 38, no. 2 (Spring, 1984), 262.

⁹⁷ “Annual report 2003,” *Frontiers Association*, 4, <http://www.frontiersassociation.org/pubs/FC%20Annual%20Report%202003.pdf> (accessed October 21, 2008).

⁹⁸ “Annual Report 2007,” *Frontiers*, 2007, 45, <http://www.frontiersassociation.org/pubs/Frontiers%202007%20Annual%20Report.pdf> (accessed October 21, 2008).

Beginning in 2006, building supplies were being allowed into the camps under the expressed permission of the Lebanese intelligence services. This is a productive step, however it does not address the overcrowding of spaces no larger than the original refugee camps of 1948.⁹⁹ The damaged and in some cases nearly destroyed camps will need more than basic building supplies to adequately house and service the camp residents.

C. SECURITY ISSUES

The conditions which Lebanese policy has placed on the Palestinian refugees, in addition to representing outright discrimination, have largely aided in the development of an identity shared by Palestinians that they were and are unwanted outsiders. Undeniable tensions were created through fear of the refugees. Any potential absorption into the citizenry, which might lead to changes in the political status quo, was prohibited. The Palestinians' undefined position under Lebanese law resulted in discrimination and abuse. Stuck in a situation of frustration over the inability to regain their lost homeland or to sustain an adequate living in the host country, the Palestinian refugees created backlashes that continue to have grave consequences.

The enactment of the Cairo Agreement created a security problem that quickly turned into a definite and full-blown security breakdown. Loescher and Milner state, "The direct threats faced by the host-state, posed by the spill-over of conflict and the presence of 'refugee warriors', are by far the strongest link between refugees and conflict."¹⁰⁰ Although the Palestinians were fleeing the violence and conflict at home when they arrived in Lebanon, it was not long before the persistent state of being a refugee, as well as the disappointed desire and expectation that they would soon return

⁹⁹ "Annual Report 2007," *Frontiers*, 2007, 48, <http://www.frontiersassociation.org/pubs/Frontiers%202007%20Annual%20Report.pdf> (accessed October 21, 2008).

¹⁰⁰ Gil Loescher and James Milner, *Protracted Refugee Situations: Domestic and International Security Implications* (London: Routledge, 2005), 30.

home, caused the Palestinians to become part of a battle against Israel. As Loescher and Milner further explain the efforts by the Palestinian refugees soon entwined Lebanon into a regional conflict.¹⁰¹

From 1969 to 1982 the refugee camps threatened the physical security and the sovereignty of Lebanon and its people, just as much as they implicated Lebanon, UNRWA and its supporters in the bolstering of the PLO in the fight against Israel. The refugee camps under control of the PLO and other groups summarized as the Palestinian Revolutionary Movement controlled the affairs within as well as independently commanded attacks from the camps against a second state and exercised autonomy at the expense of Lebanon.¹⁰² Furthermore, “the mushrooming of Palestinian power in Lebanon, along with domestic communal rifts, eroded the credibility of Lebanon’s political, economic and military institutions.” Lastly, since the camps were supported by the United Nations, some accused the member states of complicity in supporting unofficial combatants, decreasing regional security through war with Israel.¹⁰³

From the 1982 expulsion of the PLO up until 2000, Israel occupied a larger portion of the southern region of Lebanon. Intended to create a buffer zone from Palestinian attacks on Israel, this show of force violated Lebanon’s sovereignty in a manner instigated earlier by the refugees who were allowed to arm. The revised and elaborate restrictions on movement and employment have the same purpose as in the 1950s, “surveillance and management and the effect [is] similar, humiliation and rage.”¹⁰⁴ Once the PLO was removed, conditions for the refugees rapidly decreased to a state arguably worse than in the period from 1948 to 1969. The support from UNRWA is financially strained and not near the capability of services once provided by the PLO.

¹⁰¹ Gil Loescher and James Milner, *Protracted Refugee Situations: Domestic and International Security Implications* (London: Routledge, 2005), 30.

¹⁰² Julie M. Peteet, “Lebanon: Palestinian Refugees in the Post-War Period,” *Le Monde Diplomatique*, <http://www.monde-diplomatique.fr/cahier/proche-orient/region-lebanon-refugee> (accessed October 16, 2008).

¹⁰³ Harald Vocke, *The Lebanese War: Its Origins and Political Dimensions* (New York: St. Martin’s Press, 1978), 32.

¹⁰⁴ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 8.

One Palestinian lawyer, speaking of the use of laws to attack Palestinians, predicted, “The policies of the Lebanese government are going to feed a new round of violence.”¹⁰⁵ This has proven true in continued conflict between the Palestinians and the Lebanese and the Palestinians and the Israelis.

The 2006 invasion of Lebanon by Israeli forces provoked through cross-border attacks by Hezbollah, a Shi’ite militia organization, can be indirectly linked to the earlier refugee security problems. Hezbollah was formed in 1985 to expel the Israeli occupation of a buffer area in southern Lebanon that had been established in 1982. The cycle of attacks and fighting started by the Palestinian revolutionary movements in Lebanon, countered by the Israeli occupation, and forced out by attacks from new and continued militant groups operating with support from the refugee camps, exemplifies the spread of destabilizing conflict from the refugee community to involve the host country in regional conflict. Furthermore, 2007 attacks on several refugee camps by Lebanese armed forces have reflected the on-going tensions along sectarian lines and responses to discriminatory treatment by militant groups based within the refugee camps.

D. CONCLUSION

This chapter has established that the austere and isolating policies, which Lebanon implemented against the Palestinian refugees led to desperate conditions for the refugees. These conditions, the discrimination shown through the policies governing the refugees and the mounting frustration over a lost homeland, helped to cause crippling security consequences for Lebanon and detrimental conditions for its neighbors.

With the creation of the state of Israel, Lebanon acted as a host location for the Palestinians, but it did not grant the refugees with the tools—work, rights and living conditions to thrive as a community. The desire to prevent the refugees from settling permanently and the squalor of the refugee camps helped to develop a common identity among the Palestinians as unwanted outsiders. Through the Cairo Agreement, Lebanon’s change in policy to recognize, empower and arm the Palestinian Liberation Organization

¹⁰⁵ Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2005), 174.

and to avail refugee rights imperiled Lebanese control of the country. In all aspects, this policy backfired on Lebanon and degraded national and regional security. Through actively accepting militarized refugee camps, Lebanon gave the Palestinian refugees the tools to challenge its sovereignty and involve the country in the throws of both civil and regional war. Since the subsequent ousting the PLO in 1982, the highly repressive policies of the Lebanese government and the almost complete confinement of Palestinian refugees to crowded camps has done little to curb the violence and discontent of Palestinian refugees within Lebanon.

In this country, the initial fear of changes in religious and political power balances that could be provoked by the presence of refugees also instigated a fear of allowing a sense of permanency for or identification with the Palestinians. Rather than attempting to find a solution that would provide sufficient livelihood and living conditions for the refugees, Lebanon chose to enact policies which were alienating and isolating. These policies resulted in both a separate identity among Palestinians as unwanted, and a sense of fear, resentment, and blame by host nationals for the economic challenges they posed. Frustration over their situation in Lebanon and the continued lack of progress towards returning home escalated to the level of attacks against Israel, which began a continuing cycle of violence. Retaliation from Israel and resentment towards the Palestinians also led to internal fighting between Lebanon's confessional divisions and the Palestinians. This cycle of violence has ebbed and flowed at various points, however it is clear that the policies that Lebanon chose to employ against the Palestinians and the resulting backlash of these policies nearly eliminated security within Lebanon and degraded the peaceful existence of the entire surrounding region.

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V. POLICY AND REFUGEE RESPONSE IN EGYPT

This chapter will establish a connection between Egypt's various policies concerning the arrival and treatment of Palestinian refugees and the relatively minimal security problems that Egypt faced as a result of the condition and opportunities those policies created. Through this evaluation it will be seen that while policies compelling economic isolation might create security challenges, the use of policies to diminish the presence of refugees constrain the extent of such security problems.

The reaction of Egypt to a mass influx of Palestinians was initially open and welcoming. In 1948 the flow of refugees into Egypt arrived by boat through Port Said and over land through Gaza. They continued to arrive through out the year totaling approximately 7,000.¹⁰⁶ However, in the late 1940s Egypt was experiencing a period of economic decline under King Farouk. The 1947 census placed the Egyptian population at an impressive 19 million and steadily growing. The demand for jobs was not being met and there was a growing housing shortage driving prices up.¹⁰⁷ Therefore, following this initial hospitality Egypt quickly attempted to remove the vast majority of the refugees from its territory, while still controlling the refugees that remained within its borders to its own benefit. Again in 1967, Egypt received a flood of people and from approximately that time forward, treatment of Palestinian refugees in Egypt has depended on the perceived Egyptian solidarity or lack there of with the Palestinian situation. Overall, the conduct of Egypt in regards to the Palestinians has been varied, ranging from acceptance to avoidance and alienation.

A. INTERNATIONAL LEGAL INFLUENCES

Egypt has been one of the most ostensibly proactive Middle Eastern countries regarding the ratification of international agreements pertaining to refugees. Although Egypt was on the United Nations drafting committee for the 1951 Convention, it did not

¹⁰⁶ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 17.

¹⁰⁷ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 17.

sign this or the majority of refugee related agreements until the early 1980s.¹⁰⁸ These agreements include the 1969 OAU Convention Governing the Specific Aspects of Refugee problems in Africa, the 1951 Convention on the Status of Refugees, its 1967 Protocol with reservations to the articles concerning personal status, rationing, access to primary education, public relief and assistance, and labor and social security rights. In 1984 the president also created a committee for Refugee Affairs to “review asylum applications to grant status as per the [1951 United Nations] Refugee convention signed in Geneva.” This committee is not actually known to function, as the UNHCR has been unable to transfer duties including the function of identifying refugees.¹⁰⁹ Despite Egypt’s apparent lack of attention to international refugee law until the early 1980s, it did agree to the presence of the UNHCR, which opened its Cairo office in 1954.

Although willing to sign these agreements Egypt has not always complied with their intent or the best interest of its refugees. Egypt has never allowed UNRWA to provide for refugees within its permanent borders. Palestinians here should be subject to UNHCR protection since they do not receive assistance from any other UN agency, including UNRWA. However the lack of application leaves them without specific international protections. This situation was temporarily provided for through the implementation of the provisions in the Casablanca Protocol and government policies under the presidency of Gamal Abdel Nasser. Unfortunately, though still a party to each of these agreements, Egypt’s national interests have overcome its responsibility to protect and care for the Palestinian refugees as will be further explained in this chapter.

¹⁰⁸ Ayman Zohry and Barbara Harrell-Bond, "Contemporary Egyptian Migration: An Overview of Voluntary and Forced Migration," from the Forced Migration and Refugee Studies Programme, Development Research Centre on Migration, Globalization and Poverty (Brighton: University of Sussex, 2003), 50.

¹⁰⁹ Oroub El-Abed, “Needs and Responses,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo029/> (accessed February 29, 2008).

B. POLICY AND TREATMENT

1. 1948 Arrival to the Rise of President Nasser in 1954

The geographic proximity of Egypt to Palestine, in addition to personal and/or economic ties, brought Palestinians to seek shelter in Egyptian cities and towns.¹¹⁰ Due to the number of refugees during the Israeli War for Independence, Egypt created the High Committee for Palestinian Immigrants to care for and establish temporary Palestinian refugee camps in 1948. This committee was overseen by the deputy minister of the interior and was made of representatives from the ministries of social affairs, health, defense, agriculture and foreign affairs, demonstrating an understanding for the wide impact this influx of refugees could have on various aspects of Egyptian society. Three camps were initially set up: Abassyieh near Cairo, Mazarita camp near Alexandria, and Qantara Sharq camp near the Suez Canal.¹¹¹ During the month of April, 1948, the majority of Palestinians arrived in Egypt through Port Said to an open Egyptian reception, as families took in some refugees and relief organizations cared for those who were contained in nearby camps.¹¹² Over time, the camps were consolidated and isolated from Egyptian society, causing conditions within them to become bleak.

In 1949, Egypt signed the Rhodes Armistice with Israel, which among other stipulations gave Egypt the responsibility for the governing and military protection of the Gaza Strip.¹¹³ Also, “the signing of the armistice agreement between Egypt and Israel had made this transfer [from the Mazarita camp to Gaza] possible for the first time since the refugees left their homes and lands in Palestine.”¹¹⁴ At this point Egypt began to transfer Palestinian refugees to Gaza, partly by demand of the refugees seeking relief

¹¹⁰ Oroub El Abed, “Palestinian Refugees in Egypt,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed February 29, 2008).

¹¹¹ Oroub El Abed, “Palestinian Refugees in Egypt,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed February 24, 2008).

¹¹² Benny Morris, “The Initial Absorption of the Palestinian Refugees in the Arab Host Countries, 1948-1949,” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell (London: Unwin Hyman, 1988), 254.

¹¹³ “Egyptian-Israeli Armistice February 24, 1949,” *Middle East Web Historical Documents*, <http://www.mideastweb.org/isregyptarmistice1949.htm> (accessed March 6, 2008).

¹¹⁴ “Palestinians in Egypt,” *BADIL Resource Center for Palestinian Residence and Refugee Rights*, <http://www.badil.org/al-majdal/1999/2i.htm> (accessed February 29, 2008).

from dire camp conditions and wanting to return to their homeland, to Gaza. For those with still within the borders of Egypt, a policy was put into place to “provide funds to those who wished to join their families elsewhere.”¹¹⁵ Through this policy, Egypt was able to remove hundreds more Palestinians from its area of responsibility

For any refugees trying to avoid being forced into the already cramped quarters in the Gaza Strip, sufficient money was required to prove that a family could support itself without acquiring work in Egypt. Then, only if a refugee could find an Egyptian national to sponsor them would he or she would be able to remain and integrate into the Egyptian society.¹¹⁶ Until the time that a request for residency could be approved, refugees were required to remain in the camps. “The process itself took time and many of those with families outside the camps had to wait months to be reunited.”¹¹⁷ From the start, Egypt isolated and detained refugees, and any refugees remaining in the camps were sent to Gaza or funded to relocate to other countries in the region. In no case was Egyptian citizenship extended to any of the refugees in Egypt or the Gaza Strip. Through these means, Egypt was able to severely limit the number of refugees maintained within its territory.

At first look, the Palestinians in Egypt may seem integrated into society simply because of the lack of refugee camps. The Egyptian government eliminated the refugee camps as soon as possible through active efforts to minimize the refugees’ presence. The government deported some back to Gaza, sent others abroad to stay with family, and by discouraged their arrival and/or stay through minimal assistance. The only people allowed to remain in Egypt were initially financially capable enough to support themselves. Thus, the Palestinian refugees who stayed were dispersed across the country to find housing with relatives and among the local population, and the total Palestinian presence was significantly lower than in most other host states. The broad distribution of

¹¹⁵ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 45.

¹¹⁶ Laurie Brand, “Nasir’s Egypt and the Reemergence of the Palestinian National Movement,” *Journal of Palestine Studies* 17, no. 2 (Winter, 1998), 31, <http://links.jstor.org/sici?sici=0377-919X%28198824%2917%3A2%3C29%3ANEATRO%3E2.0.CO%3B2-%23>.

¹¹⁷ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 44.

Palestinians has contributed to an isolation of refugees similar to that of refugee camps. However, instead of concentrating and separating their presence, in Egypt that presence is saturated and lost among the host nationals. In this way, the government influenced one distinct aspect of the presence of Palestinian refugees in Egypt, their proportionately small quantity.

In order to assist the situation of Palestinian refugees across the region, in 1950, the United Nations created the UN Relief and Works Agency (UNRWA). UNRWA created the following definition for its operational purposes,

Any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict.¹¹⁸

Egypt only permitted UNRWA assistance to those refugees inside of the Egyptian controlled Gaza Strip. In this way, Egypt was technically in compliance with the United Nations General Assembly resolution 302 (IV) by allowing UNRWA to help the Palestinians, while preventing the organization to operate inside its own national borders. Egypt's underlying "motivation was the desire not to create suitable conditions for Palestinians to remain in the country."¹¹⁹ In addition to removing refugees from the country, denying assistance within their borders demonstrates a way in which Egypt discouraged the refugee population from attempting to gain or regain entrance to Egypt.

During this time, refugees were in a state of limbo and not afforded any rights. Though a comparatively small number of Palestinians arrived and remained in Egypt in 1948 as compared to Lebanon and Syria, Egypt feared the economic burden of refugees and the already present shortage of employment. Of the initial 7,000 refugees who arrived in Egypt in 1948 a number of them were wealthy and according to Brand there were not enough working class Palestinians to seriously impact the job market for

¹¹⁸ PLO Department of Refugee Affairs, *The Palestinian Refugees 1948-2000: Factfile* (Ramallah: Palestinian Liberation Organization, 2000), 2.

¹¹⁹ Oroub El Abed, "Palestinian Refugees in Egypt," *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo028/fmo028.pdf> (accessed February 24, 2008).

Egyptian workers.¹²⁰ Despite the probable lack of threat in the job market, those Palestinians who had been able to gain access to life in Egypt were not allowed to work or open businesses.¹²¹ Shortly after arriving, the savings which refugees were relying on began to diminish and their inability to work legally caused poverty among the Palestinian refugees.

While not allowing aid from UNRWA within its borders, the Higher Committee for Palestinian Immigrant Affairs attempted to alleviate the plight of the refugees by transforming into a relief agency to assist Palestinians whose means without employment were waning. Then in 1955, a service organization was appointed to administer a program to feed and clothe nearly 7,000 refugees.¹²² In this way Egypt did attempt to provide assistance to the refugees. Palestinians were not issued Egyptian passports or travel documents. Furthermore, only if a Palestinian had an Egyptian residence permit would he or she be allowed to enroll in school.

In the initial years of exile to Egypt, the refugees waited expectantly for the Arab nations to oppose Israel and provide the opportunity to return to Palestine. There was a continuing understanding that the Palestinian-Israeli situation would be resolved through the actions of the surrounding Arab nations. Therefore, for the Palestinians in Egypt like Lebanon the early years were about survival, longing and patience. With the arrival of this first wave of refugees, tensions grew around the question of able-bodied Palestinians living as refugees. Egyptians began to view these men as abandoning their homeland, and leaving the fight for Palestine to Egyptian and other Arab forces.¹²³ These tensions were diminished with the rise of Pan-Arabism and the push for a unified Arab front against the new state of Israel.

¹²⁰ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 17.

¹²¹ Oroub El Abed, "Palestinian Refugees in Egypt," *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo028/fmo028.pdf> (accessed February 24, 2008).

¹²² Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 45.

¹²³ Benny Morris, "The Initial Absorption of the Palestinian Refugees in the Arab Host Countries, 1948-1949," in *Refugees in the Age of Total War*, ed. Anna C. Bramwell, (London: Unwin Hyman, 1988), 255.

2. The Nasser Era, 1954 to 1978

When President Gamal Abdel Nasser came to power in 1954, he brought with him the growing sentiment for Pan-Arabism, including support for the Palestinian cause. “Egypt in the 1950s and 1960s was the only Arab state with the political and military capability to pursue hegemony in the Arab world and to assume its defense against Israel.”¹²⁴ This position obviously found favor with the Palestinian refugees. Through his Pan-Arab foreign policy of trying to unify the Arab world “the credibility of his leadership rested on championing the Palestinian cause and challenging Israel.”¹²⁵ Nasser’s promotion of the Palestinian cause resulted more from attempting to maintain dominance in the region, and not necessarily from the pressures of the comparatively small number of refugees within his territory. Still, this change in attitude from previous rulers had a significantly positive impact on the Palestinians residing in Egypt.

The Palestinians residing in Egypt encountered a period of relative prosperity under President Nasser, often referred to as the “Golden Era.”¹²⁶ The first changes in refugee policy began with the implementation of two laws in 1954 that contained clauses specifically addressing Palestinians and allowing them to work in health science professions. Over time further changes in law began to allow resident Palestinians to work, whereas previously they had relied only on what they arrived with when they fled Palestine.¹²⁷ During his tenure, Nasser extended rights similar to those of Egyptian

¹²⁴ Raymond Hinnebusch, “The Middle East Regional System,” in *The Foreign Policies of Middle East States*, ed. Raymond Hinnebusch and Anoushiravan Ehteshami (Boulder: Lynne Rienner, 2002), 92.

¹²⁵ Raymond Hinnebusch, “The Middle East Regional System,” in *The Foreign Policies of Middle East States*, ed. Raymond Hinnebusch and Anoushiravan Ehteshami (Boulder: Lynne Rienner, 2002), 92.

¹²⁶ Oroub El Abed, “Palestinian Refugees in Egypt,” *Force Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed March 18, 2008)

¹²⁷ Laurie Brand, “Nasir’s Egypt and the Reemergence of the Palestinian National Movement,” *Journal of Palestine Studies* 17, no. 2 (Winter, 1988), 32, <http://www.jstor.org/stable/2536862> (accessed March 16, 2008).

citizens to Palestinians settled in Egypt. Law 66 passed in 1962 entitled Palestinians to be appointed to government jobs and to be treated as nationals of the United Arab Republic, a brief union encompassing Egypt and Syria.¹²⁸

Universities also began to accept Palestinian students free of charge. This was significant as Egypt maintains the oldest and highly respected universities in the Middle East.¹²⁹ This opening allowed for advancement of Palestinians towards professions that helped to maintain a high quality of life. Also, the presence of such a relatively small number of Palestinian refugees did not make their political organizing a direct threat and the increased popularity for Egypt in allowing them to create their own unions and organizations outweighed the security risks. Hence, during this time Nasser also permitted the development of Palestinian civil groups, including the Palestinian Student's Union, which produced Palestinian leaders such as Yassir Arafat. To ensure minimal risk Egypt closely monitored these Palestinian activities.¹³⁰

From the start, Palestinian refugees under Egyptian control experienced limited freedom of mobility. Resident refugees were able to travel within the country, and in 1960 Law number 28 granted these Palestinians Egyptian travel documents. Although this was an apparent advancement of rights, these documents did not provide for the right of return to Egypt from travel abroad without a visa procured in advance. While staying outside of Egypt visas must be renewed every six months to three years, and the lapse of a visa could ultimately leave a refugee trapped stateless anew, outside of their temporary home.¹³¹

¹²⁸ Ayman Zohry and Barbara Harrell-Bond, "Contemporary Egyptian Migration: An Overview of Voluntary and Forced Migration," from the Forced Migration and Refugee Studies Programme, Development Research Centre on Migration, Globalization and Poverty (Brighton: University of Sussex, 2003), 53.

¹²⁹ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 50.

¹³⁰ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 17.

¹³¹ "Treatment and Rights in Arab Host States," *Human Rights Watch Policy on the Right of Return*, <http://www.hrw.org/campaigns/israel/return/arab-rtr.htm> (accessed November 10, 2008).

Over time, a relatively small number of educated Palestinians were also allowed to enter Egypt. For instance, “in 1962, due the worsening economic conditions in Gaza, Nasser permitted Palestinians, in particular the educated, to enter Egypt for work in the public sector.”¹³² In 1965, Egypt signed the Casablanca Protocol, which “called upon Arab governments to grant Palestinians residence permits, the right to work and the right to travel.”¹³³ Clearly, the changes in Egypt’s policies under President Nasser show an attitude of assistance and solidarity towards those refugees who managed to stay in Egypt following the first Israeli War of Independence, which was a reflection of the Pan-Arab nationalism and ideals of the period.

The second wave of Palestinian refugees left the West Bank during the Arab-Israeli War of 1967. In this situation not only did refugees consist of those fleeing their homes, but also, any Palestinian who was abroad for work, study, or travel was denied any right to return. The latter group is often referred to as “displaced Palestinians.”¹³⁴ Following this war, Egypt hosted several thousand military and civilian refugees, as Israel occupied the Sinai Peninsula, the Gaza Strip, the West Bank, eastern Jerusalem, and the Golan Heights and again drove the Palestinians out with the threat of violence. Since in this situation, Egypt was not able to push the refugees back over the border, authorities worked to “distribute the displaced as widely as possible rather than use camps.”¹³⁵ Egypt continued to extend the rights of citizens to the influx of refugees. They were given travel documents, the right to work and to establish a life under the Nasser regime.

¹³² Oroub El Abed, “Palestinian Refugees in Egypt,” *Force Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed March 18, 2008)

¹³³ Oroub El Abed, “Palestinian Refugees in Egypt,” *Force Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed March 18, 2008)

¹³⁴ Oroub El-Abed, “Palestinian Refugees of Egypt: What Exit Options Are Left For Them?” *Refuge* 22, no. 2 (September 2005), 16, http://www.yorku.ca/crs/Refuge/refuge_-_volume%2022,%20issue%20no_2.pdf (accessed February 29, 2008).

¹³⁵ Mohamed Abdel Shakur, Sohair Mehanna, and Nicholas S. Hopkins, “War and Forced Migration in Egypt: The Experience of Evacuation from the Suez Canal Cities (1967-1976),” *Arab Studies Quarterly* 27, no. 3. (Summer 2005), 22. <http://proquest.umi.com/pqdweb?index=14&did=923903871&SrchMode=1&sid=2&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1204406371&clientId=11969> (accessed March 1, 2008).

Despite not signing the 1951 UN Convention on the Status of Refugees, Egypt reinforced its actual policies towards refugees by supporting the 1965 Protocol for the Treatment of Palestinians in Arab States, otherwise known as the Casablanca Protocol. The first article of this agreement states that, “Whilst retaining their Palestinian nationality, Palestinians currently residing in the land of [Egypt] have the right of employment on par with its citizens.”¹³⁶ It also provided for free travel with League of Arab State travel documents. Since under Nasser Egypt was already acting in accordance with the provisions of the Casablanca Protocol, it benefited Egypt’s reputation in the Arab world at no cost, to ratify the agreement.

Nasser not only pushed Palestinian rights as far in their favor as ever in Egypt, but he was also concerned for minimizing the risk of involving Egypt in conflict. “As early as 1964, Palestinian raids on Israel had been restricted by Nasser and other Arab leaders who feared that *fedayeen* (guerilla) activities would provoke an Arab-Israeli conflict that they were ill prepared to fight.”¹³⁷ In 1964 the Arab League through Egyptian influence also developed the Palestinian Liberation Organization (PLO). “The creation of the PLO, so patently a device to shackle [the Palestinian movement] under its chairman, Ahmad Shiqueiry, a wordy lawyer who had never held a gun, spurred them to set up organizations of their own.”¹³⁸ Under Shiqueiry, the organization was weak and did not draw the attention or wide support of Palestinians. This led to the creation of new and the consolidation under the PLO of new and old groups such as Fatah, the Popular Front for the Liberation of Palestine (PFLP), Democratic Front for the Liberation of Palestine (DFLP), and the Palestinian People’s Party (PPP).

Though not a direct connection between the Palestinian refugees in Egypt, the government’s choice to push for legitimization of these Palestinian groups under decentralized control led to guerilla attacks. These attacks were carried out not only

¹³⁶ “Protocol for the Treatment of Palestinians in Arab States [“Casablanca Protocol”],” *BADIL Resource Center for Palestinian Residence and Refugee Rights*, <http://www.badil.org/Documents/Protection/LAS/Casablanca-Protocol.htm> (accessed March 1, 2008).

¹³⁷ Monte Palmer, *The Politics of the Middle East* (Itasca, IL: F.E. Peacock Publishers Inc, 2002), 184.

¹³⁸ Patrick Seale, *Asad of Syria: The Struggle for the Middle East* (Berkeley: University of California Press, 1988), 123.

against Israel, but also on targets of any country that was not sufficiently sided with the Palestinian cause. One instance was the 1971 assassination of Jordan's Prime Minister Wasfi Tell in a Cairo hotel by the PLFP who has also hijacked four airliners in the previous year.¹³⁹ It is impossible to say that Egypt's desire to create a puppet Palestinian organization is responsible for such incidents, however, its assumption that it could control and monitor an international group like the refugees within its territory, if inadvertently, led to deterioration of international security.

During the presidency of Gamal Abdel Nasser, Egypt's policies favored the Palestinians, treating them on a par with Egyptian citizens. Pro-Arab rhetoric, including the goal of reclaiming the state of Palestine from the Israelis, made this period the most prosperous for refugees and the most integrated among host nationals. Defeat by Israel in the 1967 Arab-Israeli war marked the decline of Egyptian hegemony in the Middle East and Egypt experienced an economic down turn. The cost of exhaustive financing to develop and maintain some sort of military dominance to oppose Israel was taking its toll. The Pan-Arab ideology declined as a direct result of the failure of the Arab states against Israel in the 1967 war. All of these factors would soon come to affect the situation of the Palestinian refugees living inside Egypt.¹⁴⁰

3. From 1970 to the Present

Frustration following the failure of the 1967 Arab-Israeli war and continuing economic difficulties caused Egypt to lose enthusiasm for the Palestinian cause. The change in foreign policy and the tendency towards making peace with Israel also led to changes in policies towards the Palestinian refugees. Once again the rights to work, education and state assistance diminished pushing the majority of Palestinians in Egypt below the poverty line and preventing them from acting as an effective part of the Egyptian economy. The small number of Palestinians spread across the most populated

¹³⁹ Jesse W. Lewis Jr., "Jordan Premier Assassinated by Palestinian Extremist Group," *The Washington Post*, <http://www.washingtonpost.com/wp-srv/inatl/longterm/flash/articles/nov96/jordan71.htm> (accessed November 19, 2009).

¹⁴⁰ Raymond Hinnebusch, "The Middle East Regional System," in *The Foreign Policies of Middle East States*, ed. Raymond Hinnebusch and Anoushiravan Ehteshami (Boulder: Lynne Rienner, 2002), 103.

Arab country has made their presence for the most part non-influential. Due to this position in Egypt, the Palestinians have not had a sufficient ability to counter the changing policies imposed throughout their stay in Egypt.

In the late 1970s, the “Golden Era” began its steep decline. Anwar al-Sadat succeeded Nasser as president and sought to eliminate Nasser’s Pan-Arabism and to change Egypt’s foreign policy towards Israel. Egypt sought peace with Israel through the Camp David Accords, in order to create a more stable region. This agreement, which was meant to benefit the Palestinians as well by “defin[ing] the powers and responsibilities of the self-governing authority to be exercised in the West Bank and Gaza... [and through a] withdrawal of Israeli armed forces [which would] take place,” angered the greater Palestinian community.¹⁴¹

The first major anti-regime movements posing a threat to Egyptian security arose in 1977 following President Anwar Sadat’s announcement of his impending visit to Israel, demonstrating the change in attitude from the previous pro-Palestinian rhetoric to an apparently pro-negotiation stance.¹⁴² As a result of the perceived change in Egyptian attitude towards the Palestinian situation, a Palestinian faction group assassinated the Egyptian Minister of Culture, El-Sabai, during travel to Cyprus. Of note in this study is that this attack was tied to a shift in foreign policy causing grave political consequences between Egypt and the PLO. The assassin was not a refugee from Egypt nor was the shooting prompted by a change or neglect of policy regarding the treatment of refugees, but rather due to a change in foreign policy. This act in turn caused the Egyptian government to drastically change its policies towards the Palestinians in Egypt. Despite the fact that the PLO condemned the assassination, Sadat turned against the Palestinians in Egypt, and the media commenced a propaganda attack aimed at turning Egyptians against the Palestinians.¹⁴³

¹⁴¹ “The Camp David Accords: The Framework for Peace in the Middle East,” *Jimmy Carter Library and Museum*, <http://www.jimmycarterlibrary.org/documents/campdavid/accords.phtml> (accessed March 1, 2008).

¹⁴² Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 61.

¹⁴³ David Hirst and Irene Beeson, *Sadat* (London: Faber and Faber Limited, 1981), 291.

Benefits for all Palestinians living in Egypt expired in 1978, as relations between the Palestinians, represented by the PLO, and the Egyptian government deteriorated. “Two administrative regulations, Nos. 47 and 48, were issued, rescinding all regulation that gave Palestinians the same rights as nationals. With these special privileges taken away, Palestinians has no more rights than foreigners.”¹⁴⁴ Again ignoring previous attitudes and the policies expressed in the Casablanca Protocol pertaining to the treatment of Palestinians, Egypt acted to suit its own interests using the Palestinian refugees as a means for retaliation, rather than with the international concern that it had formerly expressed for refugees.

New laws restricting work significantly affected Palestinian refugees, particularly in the case of new workers. Already employed professionals, PLO employees and civil servants were allowed to keep their jobs and the latter two send their children to school free of charge. Other workers and new graduates require permits and are additionally limited to no more than ten percent of any company. This leaves Palestinians to simple wage jobs that do not pay or suit their education level.¹⁴⁵ A law similar to that in Lebanon was passed wherein Egypt would only hire new foreign Arab country nationals for work in the public sector from countries who hire Egyptians, clearly restricting the qualification of Palestinians for these jobs. The right to education also became limited. Whereas under Nasser, all education was provided free of charge, now not only did Palestinians have to pay, but like all other non-nationals, they have to pay in foreign currency. This doubly increased the difficulty of obtaining higher education for struggling Palestinians.¹⁴⁶

Two events of the early 1980s, the death of President Sadat in 1981 and the 1982 invasion of southern Lebanon, caused a renewed sense of sympathy among Egyptians for the refugees and the Palestinians as a whole. Unfortunately, this change in attitude was

¹⁴⁴ Oroub El Abed, “The Palestinian in Egypt: An Investigation of Livelihoods and Coping Strategies,” *Palestinian Livelihoods in Egypt* (September, 2003), 5, www.livelihoods.org/static/oabed_NN274.htm (accessed February 24, 2008).

¹⁴⁵ Oroub El Abed, “The Forgotten Palestinians: How Palestinian Refugees Survive in Egypt,” *Forced Migration Review*, <http://www.fmreview.org/FMRpdfs/FMR20/FMR2013.pdf> (accessed March 18, 2008).

¹⁴⁶ Oroub El Abed, “Palestinian Refugees in Egypt,” *Force Migration Online*, <http://www.forcedmigration.org/guides/fmo028/> (accessed March 18, 2008)

not effectively reflected in Egyptian policy. “While Palestinians are relieved that the passing of overt repression and anti-Palestinian propaganda that characterized the 1977-1981 period, the damage to the Palestinian community remains.”¹⁴⁷ The two challenges mentioned above, limited job opportunities and challenges to education, have ultimately lessened the desire among refugees in Egypt to strive for advanced education.

Despite the creation of United Nations High Commissioner for Refugees in 1951, these refugees still do not receive United Nations assistance, since previous Palestinians who left their homes and livelihood during the 1948 Arab-Israeli War were already receiving aid from the UN in other locations and Arab leaders worried that through resettlement Palestinians “would lose their identity, and their cause would be diluted.”¹⁴⁸ In addition to the exception for Palestinians, Egypt was not an original signer of the convention. The gap between Egypt’s refusal of UNRWA help within its borders and the lack of applicability of the UNHCR allowed Egypt to take responsibility and to handle the influx of Palestinians in a manner of its choosing.

On June 28, 1980, Egypt ratified the 1951 UN Convention on the Status of Refugees, which supports all refugees not previously benefiting from UN services.¹⁴⁹ It declared reservations to articles, 12.1, 20, 23, and 24. (These articles discuss the governing of status, the equal rationing of limited goods, relief services, and labor and social security laws as afforded to host nationals.)¹⁵⁰ The reservations, especially the objection to providing relief services and labor, prevent refugees from establishing a livelihood and ensures their place as inferior to Egyptian citizens, consequently preventing them from effectively participating in society. “The maintenance of Egypt’s

¹⁴⁷ Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988), 93.

¹⁴⁸ Oroub El Abed, “The Invisible Palestinians of Egypt Refugees Face Discrimination, Poverty and No Access to Basic Services,” *Palestinian Refugee ResearchNet*, http://www.arts.mcgill.ca/mepp/new_prn/papers/el-abed.htm (accessed October 14, 2008).

¹⁴⁹ “Annual Report of the National Council for Human Rights,” *National Council for Human Rights*, http://www.nchr.org.eg/en/human_rp1_1.html (accessed November 12, 2008).

¹⁵⁰ Ayman Zohry and Barbara Harrell-Bond, “Contemporary Egyptian Migration: An Overview of Voluntary and Forced Migration,” from the Forced Migration and Refugee Studies Programme, Development Research Centre on Migration, Globalization and Poverty (Brighton: University of Sussex, 2003), 50.

reservations to the [1951 UN] Convention, the lack of national laws on refugees, and the unwritten non-integration policy of the Egyptian government have all contributed to the hardship of the refugees in Egypt.”¹⁵¹

Following Palestinian prosperity under Nasser, most of the Egyptian government’s policies towards the Palestinians were much influenced by political interactions regarding the Arab-Israeli conflict and reactions to the Palestinian resistance movements through out the region. The decline in standards of refugee treatment resulting from restrictive policies did not cause very many security problems. This is due in large part to the smaller numbers of Palestinian refugees in Egypt, and can also be attributed to tight regulation of Palestinian civil institutions and the dispersion of refugees throughout the country. The integration of refugees among the larger population limits the interaction between them and the ability to organize a large and challenging response to their decline in status and livelihood following the events of 1978.

C. SECURITY ISSUES

The majority of the security issues that Egypt has dealt with since the 1948 forced immigration of the Palestinians to Egypt have been related to the hazards common to all countries. There is not a significant amount of writing or research regarding security issues typically associated with the presence of refugees in a host country. It can be loosely argued that allowing the formation of Palestinian civil groups, such as the student’s union, produced leaders for Palestinian resistance groups and that the attempt to establish the Palestinian Liberation Organization as a proxy or puppet of Egyptian control contributed to the development of violent Palestinian factions, which even today threaten the peace and stability of the Middle East.

One possible reason for the lack of security threats related to Palestinian refugees, despite the marginalization of the Palestinians in Egypt through government policies which led to the lack of legal access to jobs and subsidies from international aid, is that

¹⁵¹ Ayman Zohry and Barbara Harrell-Bond, "Contemporary Egyptian Migration: An Overview of Voluntary and Forced Migration," from the Forced Migration and Refugee Studies Programme, Development Research Centre on Migration, Globalization and Poverty (Brighton: University of Sussex, 2003), 58.

due to early policies causing the wide dispersion and a comparatively small number, the Palestinians have not been able to muster sufficient opposition to the state and its policies. Based on the understanding that if refugees are not present they cannot create problems, Egypt, by effectively minimizing the number of refugees within its territory, may have been able to avoid numerous security problems that would have resulted by allowing large numbers of refugees to remain in the country.

D. CONCLUSION

This chapter illustrates how Egypt's shifting policies have drastically limited the number of Palestinians residing in Egypt, and despite creating both difficult living conditions and economic isolation for the Palestinian refugees, those policies have effectively decreased the number of refugee-related security issues. Egypt is not an atypical case wherein isolating policies do not correlate to security problems. Rather this case study shows that the strategy for minimizing the presence of Palestinian refugees in the country had a substantially greater effect by limiting the refugees' ability to challenge the treatment and conditions imposed by the government. Unfortunately, this is not a policy option currently available to most host countries, due to the customary international law practice of non-refoulement.

Palestinian refugees in Egypt are, in fact, more integrated than in Lebanon, however they have still been isolated economically by Egyptian policies, with the exception of a period of time under the Pan-Arab ideals of President Nasser. The fluctuations in Egypt's policy towards allowing refugees to work and the eventual elimination of subsidies they received have had the largest isolating effect on the Palestinians. Overall, Egypt's policies more often reflected the national interests of the country, and not the welfare of the refugees. These policies left the Palestinians isolated through dispersion, poverty and the fluctuating employment and financial circumstance.

Throughout this time, these refugees have remained without international aid from the United Nations. Egypt may currently be party to more international agreements concerning refugees, but in the case of the Palestinians living in Egypt, the provisions of each agreement have been applied intermittently and in the best interests, not of the

refugees but of the host country. Egypt's desire to discourage the presence of refugees allowed for UNRWA only in the Gaza Strip, which it occupied. Then in attempts to keep the Palestinian situation a prominent eye sore and reminder for the international community, Egypt has not allowed the UNHCR to assist the Palestinian refugees. Ironically, Oroub El-Abed describes the refugees in Egypt as "The Forgotten Palestinians."¹⁵² Clearly, the refusal to allow United Nations assistance and protection has been a real disadvantage for the Palestinians.

The Palestinian refugees in Egypt are not truly integrated into society, but rather they are a group of refugees who have experienced the rise and fall of living conditions based on the whims of Egypt's national and international best interests. As a group too small to effectively present a challenge to the state they are dependent on the actions of the larger diaspora for which they may feel the retaliation of the Egyptian government.

¹⁵² Oroub El Abed, "The Forgotten Palestinians: How Palestinian Refugees Survive in Egypt," *Forced Migration Review*, <http://www.fmreview.org/FMRpdfs/FMR20/FMR2013.pdf> (accessed March 18, 2008).

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VI. POLICY AND REFUGEE RESPONSE IN SYRIA

This chapter will establish a connection between Syria's integrating policies concerning living conditions, freedom of movement, and employment, and the minimal security issues that surrounded the Palestinian refugees. This chapter will provide show that through treating the refugees nearly equal to citizens they acted and responded to fluctuating conditions in the country similar to host nationals and without a proclivity for violence or creating other detrimental security concerns.

Syria is currently the temporary home to more than 400,000 Palestinian refugees, the majority of who arrived following the violence related to the founding of the state of Israel in Palestine in 1948.¹⁵³ These refugees comprise approximately three percent of the total Syrian population. There currently exist 14 refugee camps, of which UNRWA recognizes only 10. Fortunately, due to positive financial gains over the past 60 years, 70 percent of refugees live outside of the camps in integrated urban areas, particularly in and surrounding Damascus. Over the course of 1948, approximately 95,000 Palestinians arrived in Syria.¹⁵⁴ Although Syria wanted to return the refugees, primarily as opposition to the actions of Israel, it did not press the refugees to leave. In actuality, of the countries surveyed here, Syria will prove to be the most accommodating towards the Palestinians in its territory.

A. INTERNATIONAL LEGAL INFLUENCES

Syria is not party to the 1951 UN Convention Relating to the Status of Refugees or its 1967 Protocol. Despite not signing this agreement, Syria has effected nearly all of the provisions it contains when dealing with the Palestinian refugees of 1948 through national laws. "The uniqueness of the Palestinian refugee in Syria is mainly related to the

¹⁵³ Sherifa Shafie, "Palestinian Refugees in Syria," *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo017/fmo017.pdf> (accessed September 16, 2008).

¹⁵⁴ Laurie Brand, "Palestinians in Syria: The Politics of Integration," *Middle East Journal* 42, no. 4 (Autumn, 1988), 622, <http://proquest.umi.com/pqdweb?index=0&did=1713048&SrchMode=1&sid=1&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226286825&clientId=11969> (accessed November 9, 2008).

legal status for the refugees. The aftermath of such status is a greater extent of incorporation of refugees without affecting their national citizenship or identity.”¹⁵⁵ This concept will prove very effective for minimizing security problems.

In 1965, Syria ratified the Casablanca Protocol, which in theory gave all Palestinians in League member countries the rights to residency, freedom of movement and employment without threat to their Palestinian identity or right to return. While already granting most of these rights to Palestinians, a change in laws denying citizenship further ensured that Palestinian identity would be maintained.¹⁵⁶ Unlike most other ratifying countries, including Lebanon and Egypt, Syria has consistently complied with the provision of the Casablanca Protocol.

B. POLICY AND TREATMENT

1. From 1948 to 1982

In 1949, the Syrian government created the Palestine Arab Refugee Institution (PARI) to provide for all aspects of refugee settling including “setting up refugee registers, providing relief, finding suitable employment and processing all contributions intended for refugees.”¹⁵⁷ Later this organization was transformed into the General Authority for Palestine Arab Refugees (GAPAR), which registers refugees with Syrian travel documents and provisional ID cards. According to GAPAR 85,000 Palestinians fled to Syria in 1948.¹⁵⁸ This institution now works along side UNRWA to provide services and care for the Palestinians in Syria.

¹⁵⁵ Hamad Said Al-Mawed, “The Palestinian Refugees in Syria: Their Past, Present and Future,” prepared for the Expert and Advisory Services Fund International Development Research Centre, Canada, 1999, 63, <http://www.arts.mcgill.ca/MEPP/PRRN/al-mawed.pdf> (accessed November 1, 2008).

¹⁵⁶ Sherifa Shafie, “Palestinian Refugees in Syria,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo017/fmo017.pdf> (accessed September 16, 2008).

¹⁵⁷ Laurie Brand, “Palestinians in Syria: The Politics of Integration,” *Middle East Journal* 42, no. 4 (Autumn, 1988), 622, <http://proquest.umi.com/pqdweb?index=0&did=1713048&SrchMode=1&sid=1&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226286825&clientId=11969> (accessed November 9, 2008).

¹⁵⁸ Sherifa Shafie, “Palestinians Refugees in Syria,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo017/fmo017-3.htm> (accessed November 1, 2008).

Initially, refugees were distributed to empty military barracks across Syria. Several of these camps were temporary and others became permanent, expanding and transforming tents and open barracks to mud and cement houses. In a number of situations such as the camps at Aleppo and Hama, the Syrian government granted additional land and the financial assistance to establish these more permanent quarters. For instance, when heavy rains washed out the tent settlements at Hay Al-Ameen, GAPAR announced that families would be moved to Yarmouk camp and given 700 Syrian pounds to build their own homes.¹⁵⁹ These situations of support and expansion of the refugee camps expressed the welcoming and open policy of the Syrian government towards the 1948 arrival of the Palestinians.

A large number of services were made available to the refugees in Syria shortly after their arrival in Syria and most of them continue today. Inside the refugee camps the government provided basic utilities, including water and electricity. UNRWA augmented these utilities with “environmental services” such as sewage and garbage disposal and infestation control.¹⁶⁰ Syria continues to assist and integrate refugee settlement as, for example, Syria’s decision to incorporate the unofficial Ein el-Tal camp into the master plan for developing the neighboring city of Aleppo. Healthcare is supplied to the Palestinians through a number of sources. In addition to being eligible for Syrian government health services equal to citizens, Palestinians can receive care from UNRWA clinics and collaborated efforts by the international Red Cross, the Palestinian Red Crescent and other religious-based charities.¹⁶¹

From the beginning of the influx of refugees in 1948, Syria sought to incorporate the refugees as much as possible. The most significant step in this policy was to pass Law Number 260 in July of 1956. This law states,

¹⁵⁹ Hamad Said Al-Mawed, “The Palestinian Refugees in Syria: Their Past, Present and Future,” prepared for the Expert and Advisory Services Fund International Development Research Centre, Canada, 1999, 27, <http://www.arts.mcgill.ca/MEPP/PRRN/al-mawed.pdf> (accessed November 1, 2008).

¹⁶⁰ “Syrian Arab Republic Refugee Camp Profiles,” *United Nations Relief and Works Agency*, <http://www.un.org/unrwa/refugees/syria.html> (accessed November 10, 2008).

¹⁶¹ Hamad Said Al-Mawed, “The Palestinian Refugees in Syria: Their Past, Present and Future,” prepared for the Expert and Advisory Services Fund International Development Research Centre, Canada, 1999, 53, <http://www.arts.mcgill.ca/MEPP/PRRN/al-mawed.pdf> (accessed November 1, 2008).

Palestinians residing in the territory of the Republic of Syria on the date of the promulgation of this Law shall be considered as Syrians by origin regarding all provisions in the Laws and Regulations in force concerning employment, work, business and military service without prejudice to their original nationality.¹⁶²

This law implemented by the Ministers of State and still in effect today, alleviates the need for foreign working permits and allows for integration of Palestinians into the Syrian workforce. It alleviates the potential for systematic and black-market labor discrimination and minimizes the potential for poverty based on unemployment. Furthermore, due to the fact that Palestinian refugees and Syrians share the same labor pool with the exception of the agricultural and service industries, (Palestinians can own land for residence and can rent space for business purposes, but they are not allowed to own land for agricultural production), it is arguable that “Palestinians refugees suffer the same economic difficulties all Syrians face.”¹⁶³

Palestinians in Syria are granted freedom of movement through out the entire country. In regards to international travel several laws have been passed. First, in 1960 under Nasser and the United Arab Republic Palestinians were given Palestinian Travel documents. Later in 1963, the Syrian government issued the Syrian laissez-passer to Palestinians registered with the General Administration for Palestine Arab Refugees, which, like a national passport is renewable every six years and allows re-entry to Syria without a visa. According to a law passed in 1999, they are also able to travel to and from Lebanon solely on their Syria identity cards.¹⁶⁴ Recently, Syria has become more restrictive of the entrance of Palestinians from other Arab countries so as to prevent further settlement of refugees.

¹⁶² Uri Davis, “Citizenship Legislation in the Syrian Arab Republic,” *Arab Studies Quarterly* 18, no. 1 (Winter, 1996), 32, <http://proquest.umi.com/pqdweb?index=41&did=9708603&SrchMode=1&sid=1&Fmt=3&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226527366&clientId=11969> (accessed November 12, 2008).

¹⁶³ “Palestinian Refugees in Syria,” *Jersulamites*, <http://www.jerusalemmites.org/crimes/nakba/10.htm> (accessed November 9, 2008).

¹⁶⁴ Sherifa Shafie, “Palestinians Refugees in Syria,” *Forced Migration Online*, <http://www.forcedmigration.org/guides/fmo017/fmo017-3.htm> (accessed November 1, 2008).

Palestinians have received the same rights to work as citizens of Syria. They are not excluded from jobs in any sector and most government position. The ability of the Palestinian refugees to work and the fluid nature of movement between the camps and neighboring cities allowed for an increased level of economic integration in Syria. Hamad Said Al-Mawed describes one circumstance saying, "Considering the high standard of construction and services in Yarmouk camp, one should look upon the camp as an integral part of Damascus city. The camp has become an important commercial center."¹⁶⁵ Another study states, "As an economically integrated segment of the Syrian population, the household economy of Palestinian refugees is more affected by the general characteristics of the Syrian national economy than circumstances specific to the refugees as a group."¹⁶⁶ These statements indicate not only participation of the Palestinian refugees in the Syrian economy, but that their contribution makes up a consequential piece of the economy.

The government has not restricted the development of Palestinian organizations (any more than indigenous ones) in Syria; however, their importance has been less than in other host countries. "As a result of the degree of Palestinian integration and the nature of the Syrian political system, Palestinian popular organizations in Syria have tended to be weak and only marginally active."¹⁶⁷ Since Palestinians were involved along side of Syrian nationals in labor unions, they possessed a shared cause and struggle, which minimized any struggle between the refugees and the host citizens. As Loescher and Milner discuss, in this instance refugees are not seen as a threatening "outgroup." Integration of workers and participation in common civic groups has prevented a distinction between the two groups, and therefore the Palestinians here are not scapegoats.

¹⁶⁵ Hamad Said Al-Mawed, "The Palestinian Refugees in Syria: Their Past, Present and Future," prepared for the Expert and Advisory Services Fund International Development Research Centre, Canada, 1999, 36, <http://www.arts.mcgill.ca/MEPP/PRRN/al-mawed.pdf> (accessed November 1, 2008).

¹⁶⁶ Age A. Tiltnes, ed. *Palestinian Refugees in Syria: Human Capital, Economic Resources and Living Conditions* (Norway: Allkopi AS, 2006), 181.

¹⁶⁷ Laurie Brand, "Palestinians in Syria: The Politics of Integration," *Middle East Journal* 42, no. 4 (Autumn, 1988), 628, <http://proquest.umi.com/pqdweb?index=0&did=1713048&SrchMode=1&sid=1&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226286825&clientId=11969> (accessed November 9, 2008).

Syria has also strictly monitored Palestinian political activity. The government creation of *Saiqa*, the Palestinian political and militant branch of the Ba'athist party, combined with Syria's dedication to the Palestinian struggle against Israel, has prevented the refugees from uncontrolled attacks from Syria against Israel. "Syria kept close control of Palestinian political activity and often attempted to subsume the Palestinian national cause to that of the Syrian state."¹⁶⁸

Being treated on par with citizens has also meant that Palestinians residing Syria have been obligated to perform military services. Whether aware of the possible tensions that could have developed by host nationals towards the refugees for seeming not to fight their own battle, Syria alleviated this problem through a service obligation. Furthermore, once the Palestinian Liberation Army was established in 1964, Syria augmented this force with Palestinians from its own service.¹⁶⁹

2. Palestinian Treatment after 1982

When Israel invaded Southern Lebanon in 1982, several thousand Palestinians traveled north to take refuge in Syria due to the fighting and calculated attacks on the Palestinian camps there. These Palestinians unlike those who arrived in 1948 "were not entitled to employment, education or other privileges on the same basis as Syrians."¹⁷⁰ Both refugees in Syria and in Lebanon prior to the 1982 influx were accustomed to a high level of social services provided by the Syrian government or the PLO in control of the Lebanese camps respectively.

The new arrival of Palestinians, combined with a downturn in the Syrian economy, caused Syrians for the first time to look to the refugees as the cause of waning

¹⁶⁸ Samih K. Farsoun, "Palestinian Diaspora," in *Encyclopedia of Diasporas*, eds. Melvin Ember, Carol R. Ember and Ian Skoggard (New York: Springer Science+Business Media, 2005), 242.

¹⁶⁹ Laurie Brand, "Palestinians in Syria: The Politics of Integration," *Middle East Journal* 42, no. 4 (Autumn, 1988), 624,
<http://proquest.umi.com/pqdweb?index=0&did=1713048&SrchMode=1&sid=1&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226286825&clientId=11969> (accessed November 9, 2008).

¹⁷⁰ Laurie Brand, "Palestinians in Syria: The Politics of Integration," *Middle East Journal* 42, no. 4 (Autumn, 1988), 635,
<http://proquest.umi.com/pqdweb?index=0&did=1713048&SrchMode=1&sid=1&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1226286825&clientId=11969> (accessed November 9, 2008).

conditions in Syria. Unemployment rates increased among Palestinian refugees after the Israeli invasion of Lebanon caused the PLO to withdraw and close their establishments in Syria as well, eliminating associated jobs. Later, following the first US-Iraq war in 1991, an influx of Palestinian workers forced out of the Gulf States saturated the labor market.¹⁷¹ However, to this point, the literature has not indicated any particular refugee related security threats.

C. SECURITY ISSUES

For the duration of the presence of Palestinian refugees in Syria, the largest threats to Syrian security have come from international war and political regime interaction. Following the 1948 Arab-Israeli war, Israel and Syria continued to clash along the border separating them. These attacks were a result of political and territorial differences, Israel showing force and attempting to expand the territory it had gained through UN resolutions and through hostile take-over, and Syria protecting its sovereignty. Therefore, Syria's proximity and sovereignty concerns, in addition to anti-Israel sentiments, were the main causes for continued opposition to the Israelis. It was not any compulsion by the Palestinian refugees residing in Syria.

Syria's provocation of the 1967 war was not a result of refugee presence or direct pressure from the Palestinian refugees. Political interactions and the struggle for dominance between Arab states and retaliation by Israel caused finger-pointing towards Egypt by the Syrian government. "Ba'thist Syria, a narrowly based radical regime, was championing the Palestinian cause to win domestic legitimacy and outbid Nasser for Pan-Arab leadership."¹⁷² In an effort to protect his position Nasser ordered UN peacekeeping troops out of the Sinai Peninsula and postured for war. Thus, these two countries involved themselves in the 1967 War, not due to refugee pressures, but rather out of political and power rivalries and the issue of national sovereignty.

¹⁷¹ Age A. Tiltnes, ed. *Palestinian Refugees in Syria: Human Capital, Economic Resources and Living Conditions* (Norway: Allkopi AS, 2006), 155.

¹⁷² Raymond Hinnebusch, "The Middle East Regional System," in *The Foreign Policies of Middle East States*, eds. Raymond Hinnebusch and Anoushiravan Ehteshami (Boulder: Lynne Rienner, 2002), 38.

Prior to the 1967 war Syria maintained tight control over the activities of Palestinian worker's groups and militant groups including *Fatah* and the Palestinian Liberation Front. In preparation for the possibility of increased militant action against Israel, Syria loosened some control and actively supplied these groups along side the build-up of national forces.¹⁷³ This action is one indication of the continued support that Syria showed for causes related to Palestinian situation, while still maintaining tight regulation over Palestinian activist groups. Furthermore, the guerilla activity and attacks on Israel were launched primarily through Lebanon and Jordan, preventing retaliatory actions directed at Syria.

Prior to the 1967 Arab-Israeli War, Syrian policy was to use the Palestinian cause as a means for legitimacy and unity. Now, following the conflict the "resistance [was] less a source of inspiration for a demoralized Arab public then a security risk...directing their new found militancy as much against their Arab hosts as against Israel."¹⁷⁴ In response, Syria under President Asad, maintained a tight control over the various groups. After a frustrating defeat, demoralizing the Arab states' power to defend their territory, "the Syrians thus formed their own Palestinian organization, *Saiqa*, following the Six-Day War, and allowed it to attack Israeli border positions" in the Syrian occupied areas.¹⁷⁵ This organization was sponsored by and closely monitored by the Ba'th regime in control of the country and when Asad came to power in 1970, it was placed "under control of the Syrian defense ministry."¹⁷⁶

Syria's intervention in the Lebanese civil war in 1976 was not on behalf of the Palestinians. In fact, Syria entered to counter the PLO and the coalition of radical

¹⁷³ Patrick Seale, *Asad of Syria: The Struggle for the Middle East* (Berkeley: University of California Press, 1988), 152.

¹⁷⁴ Patrick Seale, *Asad of Syria: The Struggle for the Middle East* (Berkeley: University of California Press, 1988), 156.

¹⁷⁵ Monte Palmer, *The Politics of the Middle East* (Itasca, IL: F.E. Peacock Publishers, Inc, 2002), 184.

¹⁷⁶ Dilip Hiro, *The Essential Middle East: A Comprehensive Guide* (New York: Carroll & Graf Publishers, 2003), 461.

Muslims in favor of the Maronite Christians. Though predominantly Muslim and in favor of regaining Israel for the Palestinians, Syria did not want a faction in control of Lebanon which it could not influence or control.¹⁷⁷

From these examples, it is clear that the security issues that Syria faced were not caused by the Palestinian refugees living and working in Syria. The government effectively minimized internal tensions between the refugee and host populations through integration at the levels of housing, work, education and military service. The conflicts, which Syria was drawn into, stemmed primarily from the issues of national sovereignty and regional hegemony.

D. CONCLUSION

This chapter has clearly shown the relationship between the effects of national policies concerning refugee integration and the degree of serious security issues related to the presence of refugees in the country. Palestinian refugees in Syria have experienced far more consistent treatment from the government than in either Lebanon or Egypt. Starting in 1948, Syria opened its country and its resources in efforts to care for and assist the Palestinians. Syria has stood by its commitment to Arab solidarity by almost completely integrating the Palestinian refugees into Syrian society and by constant support in the struggle against Israel. This has resulted in the near complete absence of refugee-generated problems.

Through passing laws to ensure that the treatment of Palestinian refugees is equal to that of Syrian nations, Syria has enabled many Palestinians to obtain education in collaboration with UNRWA, to secure adequate jobs, and in many cases to move out of refugee camps. Syria's policy of integration has been successful in removing the attitude of "outsider" towards the refugees. By making all jobs and opportunities open to both nationals and Palestinian refugees, there are reduced tensions because the government does not regard refugees as a negative influence. Furthermore, requiring Palestinian refugees to serve in the Syrian military also may have reduced tensions.

¹⁷⁷ William R. Keylor, *A World of Nations* (Oxford: Oxford University Press, 2003), 394.

Through the lack of distinct restrictions or policies of isolation, Palestinians have not had a reason to organize against the state. Through integration of Palestinian refugees, the Syrian government has been able to successfully support the Palestinians living in their country, while precluding them as a cause for insecurity.

VII. CONCLUSION

This thesis has demonstrated that there is a relationship between the policies that a host country employs when dealing with refugees and the security problems related to refugees that develop within that particular (host) country. The cases studies reveal that policies creating isolation, poverty and discontent cause a greater number of security problems. Furthermore, a country such as Syria, with policies that integrate the refugee population, has been more successful in minimizing tensions, discontent and security threats to both the host state and the inter-state region. Lastly, as might be expected, a particularly small refugee population was less likely to be able to create security issues, due to the inability of a small group of refugees to effectively challenge the control and monitoring of refugee actions by the host state.

For refugees, in particular the Palestinian refugees discussed here, maintaining a sense of their (Palestinian) cultural identity has been shown to be a major factor in their satisfaction and their long-term goal of repatriation. The policies generated by Lebanon, Egypt and Syria have affected the perception of the Palestinian refugees' separate national identity as being either a threatening "outsider" or a neutral presence. Increased levels of integration appear to lead more towards the perception of refugees as a neutral presence, as opposed to policies tending to isolate and/or alienate refugees, which in turn, lead towards a perception threatening to host nationals. Through comparing the case studies of Lebanon, Egypt, and Syria the effects of isolation and integration have shown the refugees' responses to these perceptions and the varying security outcomes.

One undeniable characteristic of the Palestinians is that, in general, as refugees they seek repatriation as a solution to their now protracted situation. This attribute presents several challenges affecting the conditions they experience in whichever host country they currently reside. First, one difficulty is that, particularly early on, significant attempts to improve their living situation can be seen as a move towards permanent resettlement, and in some cases has been rejected. The resettlement of Palestinians to third countries through help by the UNHCR has also been discouraged for

fear that resettlement would dilute to prominence of the Palestinian issue.¹⁷⁸ Also, their desire to maintain Palestinian identity has allowed host countries to avoid granting these refugees citizenship and the corresponding rights and privileges.

Lebanon is clearly the most isolating of the three host countries presented here. The living situation which Palestinian refugees face is bleak, and Lebanon has done little if anything to improve these conditions. The only period in which Palestinians thrived was under control of the PLO, and this tenure came at a huge expense to the sovereignty and security of Lebanon. Movement to and from the refugee camps as well as internationally has often been restricted and almost always been monitored. Lebanon restricts the refugees from nearly all work, and with the exception of UNRWA, provides very little in assistance to help the Palestinians resident in their country. These factors, along with the solidarity the Palestinians find among themselves in the consolidated camp spaces, have made both the refugees to feel and the host nationals to view the Palestinian refugees as outsiders.

The alienation felt by the Palestinian refugees has caused the refugees to react both towards Lebanon and towards Israel, whom they blame for forcing them into their current situations. Retaliation by the refugees has come in the form of militarization of the refugee camps, cross-border attacks and development of their own “state within a state.” Since the Palestinians were not incorporated into the functioning of society when able they attempted to support and influence favored sects, which in turn caused internal insecurity. Lebanon’s severest isolation has led to the most national insecurity of the three countries studied.

Next, Egypt’s alienating though not completely isolating policies have managed not to create overwhelming security problems. In trying to reduce the number of Palestinian refugees in Egypt, the government accepted only self-reliant refugees, and forced the rest of the Palestinian refugees out of the country. The refugees in Egypt were forced to be more integrated into society than their equivalents in Lebanon, due to the

¹⁷⁸ Oroub El-Abed, “Palestinians in Egypt,” paper presented as part of the Stocktaking Conference on Palestinian Refugee Research, Ottawa, June 17, 2003, http://network.idrc.ca/uploads/user-S/10576075960Session_1-AL-ABED_-_PAPER.doc (accessed February 29, 2008).

lack of refugee camps. Since the only Palestinians allowed to remain in Egypt required to show proof of financial security, at first this intermingling by Palestinians refugees among Egyptians might have been successful, had the government had allowed the refugees to work. Without a means of income or assistance from the international community through UNRWA or the UNHCR, the Palestinian refugees in Egypt began to struggle. Egypt's policies were not consistent, and over the change from monarch to president and between presidents, the Palestinians experienced first prosperity and then a decline back into poverty.

The reception and view of the Egyptian host population fluctuated with the events of the surrounding region and the ongoing Arab-Israeli conflict. Palestinians in Egypt have not precipitated major refugee related security issues. Although more of a marginalized than a functional part of society, being such a small refugee population and having experienced a broad range of policies, the Palestinian refugees in Egypt did not have the size or the cohesion amongst themselves to pose a particular or overwhelming threat.

Finally, Syria short of granting citizenship so as to appease the Palestinians, has accomplished far more of Palestinian refugees than either Lebanon or Egypt, with its policy of integrating refugees into Syrian society. By consistently treating the Palestinians on a par with its citizens, Syria has largely been able to avoid the development of tensions and negative perceptions of the refugees. Able to work and receive benefits like all other citizens in the country, the Palestinian refugees have tended more towards cohesion with their Syrian counterparts, due to common workplaces, similar military obligations, and shared economic and social experiences.

Syria has not experienced any major security problems, either caused or influenced by the presence of the Palestinian refugees. Because the Palestinians are fully incorporated into Syrian society, there is a non-threatening perception of the refugees. In turn, the Palestinian refugees have not found cause to rebel against the society that has supported them, or a government that has supported their goal of regaining the territory that they lost in 1948.

Each of the countries discussed here is party to at least one if not several of the international agreements regarding refugees, however the level of compliance and implementation varies widely. The intent of international law is to best protect refugees who are outside of their home country and are otherwise without protection or representation at the national or international level. The general provisions in the various agreements, including the 1951 Convention on the Status of Refugees, the 1967 Protocol on the Status of Refugees, the 1969 OAU Convention on the Status of Refugees and the 1965 Casablanca Protocol, seek to provide adequate rights to housing, employment and welfare, in order to allow for a sufficient quality of life in the host country.

As demonstrated in this thesis, the nearer the policy applied by a host government follows the provisions in agreements regarding refugees, the more integrated refugees become. Increased integration and shared experiences between the refugee and host nationals tend to minimize internal and regional security issues. Therefore, adherence to international agreements has more tangible benefits than simple recognition and reputation at the international level. In reality, compliance offers security and protection for the host country as well as the refugee.

The experiences of the Palestinian refugees in Lebanon, Egypt, and Syria are similar in many regards to the situation refugees across the globe, as are the security problems surrounding them. While it is true that the particulars of each situation will vary, this study has shown that there is a basic relationship between the way in which refugees are treated and the potential for peaceful coexistence, as opposed to violence or destabilization. The potential to shape the impact of future refugee movements will depend on the ability of both the international community and individual host countries to address the needs of the refugees, through integrating policies to positively affect refugee living condition, employment opportunities and financial resources, while shaping the host community's favorable perception of those refugees. The more that host countries employ common/international policies which help to integrate refugees and promote investment in the host society, the more possible it will be for both the host state and the surrounding region to achieve an acceptable level of stability and security.

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